

# Law Enforcement News

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## Join us in cyberspace!

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## A day late, a dollar short

### But FBI says NCIC-2000 is worth the wait & the cost

By Jacob R. Clark

(First article in an occasional series.)

First, the bad news: The FBI's massive efforts to upgrade its criminal records and fingerprint identification systems are running at least two years behind schedule and will end up costing much more than originally estimated.

The good news, according to one high-ranking bureau official, is that the overhaul of the National Crime Information Center — an effort that forward-looking FBI officials have dubbed NCIC-2000 — and the integration of digital-imaging technology into its fabled fingerprint records division will be well worth the wait.

Harlin McEwen, deputy assistant director of the bureau's Criminal Justice Information Services Division, which will eventually oversee the operation of NCIC-2000, told Law Enforcement News that both finished products will give police agencies access to futuristic technologies that will aid their work well into the 21st century. They also will greatly speed access to criminal histories and provide faster processing of fingerprint checks of suspects, he said.

"It will be tremendously improve the ability of law enforcement agencies to quickly access information," said McEwen, a former Ithaca, N.Y., police chief appointed to the FBI post last year by Director Louis Freeh.

One of McEwen's primary duties is to keep state and local law enforcement agencies abreast of the progress being made in the projects and to solicit input from officials on their specific needs "to make sure we're being realistic in our development" of the NCIC-2000

Upgraded crime-info system promises to be a boon to local law enforcement.

and fingerprint programs, he said.

McEwen was named to the post as Freeh launched a revamp of the effort that included moving oversight of NCIC-2000 from the FBI's Criminal

Justice Information Services Division to its Information Resources Division in August 1995. Freeh took the action, McEwen said, "because there needed to be a different approach in managing

the development [of the projects] because of the failures that had occurred up to that point."

The reorganization of the project followed stinging criticism by members of Congress about the delays and ballooning cost estimates — jabs that continued last month when Freeh testified before the House Appropriations Committee on the FBI's budget request. During the hearing, Representative

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## Through TV, Louisville police show human side

A locally produced television program that focuses on the human side of policing gives viewers in the Louisville, Ky., area an intimate look into the lives and work of local police officers.

The program, titled "Inside Look," is an effort to "show the community how the police do what they do and how they prepare for what they do in a realistic manner," while avoiding the sensationalism of other true-crime TV programs, says the show's creator and host, Steve Wilson, who owns Action Media Concepts, a local video-production company that puts the show together.

Two 30-minute episodes of "Inside Look," which uses a fast-paced, video-verité style similar to that of the "NYPD Blue" drama series, have been broadcast on two local TV stations since the show debuted in February. Production on a third was completed last month, Wilson told Law Enforcement News.

The second episode was dedicated to Jefferson County sheriff's Deputy Greg Hauns, who was shot to death last month while attempting to break up a domestic dispute. The installment included segments on the Louisville Police Division's Fugitive Apprehension Squad Team; a discussion with Mayor Jerry Abramson and police officials about the city's rising homicide rate, and a look at police firearms training.

The show also takes viewers on a ride-along with Officer Amanda Frederick as she responds to calls during a typical night shift in the First District. The pilot episode included a look at undercover stings against the city's crack and prostitution trades, a spot on tactical training in the use of 12-gauge shotguns, and a ride-along segment featuring Officer Harvey Hunt.

But the focus of the program is not only on police, but on the public as well, through its emphasis on the need for

close communication, cooperation and mutual respect between police and residents. In the homicide segment, Lieut. Gene Sherrad, while explaining why so many homicides remain unsolved, urges viewers who may have witnessed killings or other crimes to disclose tips to police. "It is vital that the public get involved," he says. "We are not Sherlock Holmes."

In the ride-along segment, Officer Frederick discusses the importance of maintaining strong ties with district residents. Frederick says that engaging in a positive rapport with children is especially important to her.

"Most of them will be living around here as they grow older, and as adults," she says. "I hope the positive feeling they had for me as a child will carry over [to adulthood]."

"It's not easy to show police officers in their best light and develop a fast-

Continued on Page 19

## Holy Toledo! COPS grants may vanish as city scrambles for matching funds

Officials in Toledo, Ohio, lacking the necessary money in the city treasury, may ask the private sector to provide the matching funds needed to hire officers using grants from the Justice Department's Office of Community Oriented Policing Services.

The failure to provide matching funds to keep newly hired officers on the job could force the city to return up to \$7.6 million in COPS grants it is due to receive this year, which would be used to hire nearly 100 officers.

Under provisions of the COPS program, grantees must provide matching funds to ensure that they can retain the officers they've hired with the Federal grants.

Toledo officials told Law Enforcement News that they are confident the city will find funding sources and avoid jeopardizing several COPS grants it has received over

the past year. But Capt. Louise Eggert, commander of the Police Department's planning and research section, said that in the meantime the city is delaying the hiring of some of the officers until a matching-fund proposal is worked out.

"We are very serious about retaining the people we hire as we agreed to do, so we'd rather be cautious and do it properly, rather than hire them right now," she told LEN. "We're still within the time lines, and efforts are under way to find sources for matching funds so we can hire these people."

The department is going ahead with plans to use one of the grants to add 15 new officers to the 708-officer force next month, added Lieut. Bob Henry of the planning and research unit.

Eggert said the funding debacle apparently came to light when revenues fell short of projections that had been made when the city initially applied for the grants, opening up the "possibility"

matching-fund requirements would probably come up in early 1998, when the first grant cycle ends.

Most jurisdictions develop a matching-fund plan before they accept the award, Miller noted.

"Most officials have approached this from the view that they are going to retain the officers, therefore, let's develop a plan," he said, adding there is a 45-day time frame during which grantees can accept or decline the award. "Many departments have asked us to extend that period as they try to develop a program before they accept a grant. Others decide to develop it as they go along, which is also fine as long as they're willing to do it."

If problems arise in securing matching funds, the COPS office will look at each situation on a case-by-case basis and make every effort to reach a mutually agreeable solution.

# Around the Nation



**CONNECTICUT** — Trooper Robert Veach, president of the Connecticut State Police Union, testified early this month in support of a bill that would reduce speeding fines. The fine for speeding, Veach said, is already much higher than that for more serious misdemeanor offenses such as reckless endangerment and disorderly conduct.

**DELAWARE** — Prompted by complaints from residents, the Newark City Council last month adopted an ordinance that makes it illegal to possess a gun or a knife in city parks.

**MAINE** — The Maine Chiefs of Police Association has come out in support of a proposal by Senator John Benoit that hospitals notify local police whenever violent mental patients are released.

A Federal grand jury is investigating a former Bowdoin College administrator's claim that he was badly beaten by Portland and South Portland police officers in 1995 after he was stopped at a DWI checkpoint. William Fruth, 40, suffered a broken nose, fractured facial bones and nerve damage in both hands. A drunken driving charge was later dismissed, as were charges of assaulting an officer. No disciplinary action was taken against the South Portland officers, and an internal probe of the incident by Portland police uncovered no evidence of excessive force.

Prompted by a jump in the estimated number of active gang members from 20 to 90 between 1994 and 1997, Portland police, prosecutors and educators have formed a task force to fight the problem.

**MARYLAND** — Crime dropped 3 percent statewide last year, according to figures released March 18 by the State Police. The largest drop was reported in the Baltimore area, where crime was down 9 percent.

**NEW JERSEY** — Union County officials say they face a growing problem in teen-agers' use of "whippets" — small metal containers of nitrous oxide, normally used to make aerosol whipped cream, which cause an intense, short-lived high.

Ocean County law enforcement and school officials have launched a new Zero Drugs and Weapons program in middle and high schools. The plan will include unannounced searches and home visits. Ocean County prosecutor Daniel J. Carluccio said dogs will be used to search for drugs, along with other techniques he chose not to reveal. A state study on drug trends showed an increase of 300 percent in heroin use from 1992 to 1995, along with a 200-percent increase in marijuana use among high school and middle school students.

State Trooper Edgar K. Marks, 29, admitted last month that he and his girlfriend used a stolen credit card to buy a \$7,632 engagement ring. Marks, who has been suspended without pay since his arrest last August, faces a year in jail, plus fines and restitution.

Robert "Mudman" Simon was sentenced to death April 2 for the murder of a Franklin Township police sergeant. Simon, 45, a member of the Warlocks Motorcycle Club, admitted gunning down Sgt. Ippolito "Lee" Gonzalez during a traffic stop on May 6, 1995, just 11 weeks after Simon had been paroled from a Pennsylvania prison. Outrage over the case has prompted a flurry of legislation aimed at broadening the powers of the state parole board to keep convicts in prison.

**NEW YORK** — The New York City Board of Education voted March 19 to expel any student age 17 or older who brings a gun to school or injures someone with another weapon, like a box cutter. The new expulsion policy, which will take effect this fall, is said to be the toughest in the country. Under the new rules, a student may also be expelled at the discretion of the school superintendent for possession of a controlled substance without a doctor's authorization; intimidation; physical sexual aggression; behavior that creates a substantial risk of injury; possession of an illegal drug or alcohol; using force to injure school personnel, or possession of a weapon such as a knife, razor or switchblade.

An internal police report found that 13.6 percent of the New York City Police Department's 22,000-member patrol force made no arrests during 1996. About 10 percent made one arrest, and eight percent made two arrests.

New York City police officials are trying to determine whether a gang calling itself the Bloods is linked to the notorious West Coast gang with the same name. The Police Department has made it a priority this year to investigate all gang-related activity in the city, and will create a new position of citywide gang coordinator to oversee the investigation.

A three-year downward trend in homicides is continuing into 1997 in New York City, where killings dropped 27.1 percent during the first three months of this year. That decline led to an overall drop in serious crime of 15.6 percent.

New York City's detectives union claims the Police Department has cheated as many as 70 detectives out of thousands of dollars in back pay and benefits. Under a state law passed in 1991, the department was ordered to promote to detective officers who had spent 18 months doing investigative work. While the department did that for most officers, the Detectives Endowment Association says it has dragged its feet doing the same for transit and housing detectives since the merger of the three departments.

New York City Mayor Rudolph Giuliani, Police Commissioner Howard Safir and Schools Chancellor Rudy Crew are trying to work out an agreement that would enable police officers to obtain yearbooks from city schools. Police have long used yearbooks in the photo lineups presented to witnesses and victims, but an uproar ensued last month over a police directive ordering detectives to obtain current yearbooks from each high school in their precinct. A spokeswoman for Crew said the yearbooks would be made available only on a case-by-case basis.

New York City police officials rescinded a directive that would have allowed police dogs to be used for crowd control, in blatant violation of departmental rules. The order was issued after a Feb. 16 shooting at a discotheque when police, trying to control the scene, used dogs to keep terrified witnesses in place. A recent department memo praised the "positive effect" the dogs had and suggested using them for stopping people in their tracks. The K-9s have never been used in this manner because of historically racist overtones.

**PENNSYLVANIA** — Philadelphia Police Officer Jerome Burton, 33, was ordered fired last month for having consensual sex with a 14-year-old girl he met while assigned to her middle school. Burton, a 10-year veteran, had been suspended for 30 days. Two other officers were suspended prior to being dismissed within the same week as Burton. Officer Carlos Alvarez, 34, was charged with raping a 16-year-old girl, and Officer Rance Morgan, 28, was charged with the 1992 beating death of a cab driver that took place before he joined the department.

**VERMONT** — A proposal to lower the legal blood-alcohol limit to .08 failed to win Senate approval last month, but senators did OK a bill that would crack down harshly on repeat drunken-driving offenders.



**ALABAMA** — The Mobile City Council on March 11 approved random drug testing for about 1,000 police, firefighters and other workers with sensitive jobs.

The Birmingham Police Department last month moved into its new \$3.5-million headquarters, a six-story building that will more than double the department's current space.

Anyone 19 or older who uses computer services to solicit a child for sex would face up to 20 years in prison under a bill approved unanimously March 26 by a Senate committee.

**ARKANSAS** — Higginson Police Officer Danny Longstreet was shot to death March 14 as he sat in his parked patrol car. Jess Allan Fulgham, 17, has been charged with capital murder in Longstreet's death.

Under a bill approved March 21 by the Senate Judiciary Committee, the State Police would have authority to investigate all alleged child abuse. The state Department of Human Services currently does most abuse investigations.

Five Little Rock police officers were cleared of any wrongdoing by an internal investigation into the Dec. 7 shooting death of a man who was holding a gun to his girlfriend's head. The victim, Kevin Williams, refused to drop his .38-caliber revolver, and fired at his hostage and police. Police returned fire, hitting him more than 14 times. A review panel, however, indicated that police may have unnecessarily exposed themselves to gunfire from Williams.

Additional training is being developed that will stress the importance of awareness and consideration of all options, said Police Chief Louie Caudell.

Spitting or throwing bodily waste on prison guards or law-enforcement officers, or intentionally causing them injury, would be punishable by up to six years in prison and a \$10,000 fine under a bill that passed the House March 14.

The House Judiciary Committee approved a bill in March that would require prosecutors to notify victims of violent and sex crimes of all major judicial proceedings in their alleged attackers' cases. The bill also requires that victims and their families be made aware of post-verdict developments, such as sentencing and parole hearings.

**FLORIDA** — Flames leaped a foot high from under convicted killer Pedro Medina's leather death mask March 25 as the state electrocuted him for the 1982 murder of a retired Orlando teacher. The incident was the second glitch since 1990 in which "Old Sparky," the state's vintage electric chair, set a mask on fire. While Gov. Lawton Chiles ordered an investigation and said officials will consider some other form of execution, Attorney General Bob Butterworth and other officials called the glitch a deterrent.

South Miami Police Chief Rafael Hernandez was fired March 11 amid allegations of sexual harassment, discrimination and retaliation. Sources told The Miami Herald that Hernandez's dismissal stemmed from a lawsuit filed by Lieut. Shirley Bradshaw, who claims the Chief touched her in an inappropriate manner. Two other officers filed formal complaints alleging that Hernandez often threatened to demote or fire them if they disobeyed or contradicted him.

A woman who was told by a 911 operator to stay by a telephone and wait for a deputy was abducted and raped by the time a Hillsborough County deputy arrived 35 minutes later. The 26-year-old woman said she called 911 because while walking home from a friend's house, a van drove by and the passengers yelled something at her. She was dragged into the van by two men who took turns raping her. Sheriff's Lieut. David Gee admitted the response was slow, but said the deputy had stopped to help in an unrelated search for a group of car thieves.

Any convicted criminal who commits a new offense within five years of being released from prison will serve 100 percent of his sentence, rather than the 85 percent now allowed by law, under legislation approved March 18 by a House committee.

Miami Beach police officers Hector Trujillo and Louis Dieppa were charged March 21 with racketeering and bribery for allegedly taking at least \$50,000 in bribes to let certain nightclubs stay open past the 5 A.M. curfew.

**SOUTH CAROLINA** — Danny Mullins Jr., a Bluefield man arrested for disturbing the peace during a police search of his home last August, filed a Federal lawsuit March 14, claiming police illegally arrested him, hit him in

the face with a flashlight and threatened him with a dog.

**TENNESSEE** — Six prisoners of the renowned bounty hunter Clyde Gunter died April 3 on Interstate 40 outside Dickson after a fire engulfed the van that was transporting them to jail. The van's driver, Anthony Wilson, 33, was badly burned as he tried to rescue the prisoners, who were handcuffed and chained to each other. There was no escape for the prisoners, however, because a chicken wire "cage" protected the driver and the back of the van was consumed in flames so hot the rear door was welded shut.

**VIRGINIA** — The American Civil Liberties Union is taking the city of Charlottesville to court over its teenage curfew, which took effect March 1. Those under 17 are required to be off the street between 1 A.M. and 5 A.M. on Saturdays and Sunday, and between 12:01 A.M. and 5 A.M. on weekdays.



**ILLINOIS** — Chicago Mayor Richard Daley last month asked a judge to overturn parts of a 1981 Federal consent decree that prohibits city police from videotaping, photographing and keeping files on the activities of street gangs, ethnic hate groups and known criminals. The decree, said Daley, prevents the city from sharing information with other municipalities and from keeping files on gang members. Even when a crime has been committed and information is gathered on an offender, said Daley, the information has to be destroyed after 30 days. The city entered the consent decree to settle two class-action suits that alleged police spying.

Listening devices have been removed from three interrogation rooms at the Arlington Heights Police Department after allegations of illegal eavesdropping. The allegation, which surfaced in an anonymous letter mailed to local defense lawyers, proved "unsubstantiated." The letter writer claimed to be a former Arlington Heights officer, and said police supervisors routinely listened in on suspects talking with defense lawyers, talking on the phone or to other suspects. Police Chief Rod Kath said the devices were rarely used and would not be missed if deactivated.

Chicago police trainee Kevin Flynn, 33, filed a lawsuit last month claiming that he was fired because he is a homosexual. In an affidavit, Flynn's brother-in-law, Officer Thomas Linnane, said one of the officers who evaluated Flynn during his probation had confided that he would fail him because he was gay. Linnane said the evaluator apologized when told Flynn was his brother-in-law, but said, "I'm sorry, he's too much of a sissy, a disgrace to the Police Department." Flynn is seeking to be restored as a probationary officer so he can get a fair evaluation.

Two measures that would allow state residents to carry concealed handguns are on their way to the full House after being advanced by legislative committees. Both bills are essentially the same: Any non-felon over age 21 could carry a concealed firearm after

# Around the Nation

completing eight hours of training. Major law enforcement organizations claim the bills would put guns in the hands of inexperienced civilians and create an increased potential for violence.

Chicago Mayor Richard Daley said last month that there is little the city can do to eliminate thievery at city auto pounds besides ongoing investigations by the city's Inspector General. The persistent problem, said Daley, is due to people's "sticky fingers."

**KENTUCKY** — McCracken County will have to spend twice as much as it had budgeted for housing juvenile criminals, after complaints about fights and intolerable conditions forced officials to move most juvenile offenders out of the county's one-day lockup earlier this year. In the existing facility, a detention center in the basement of Paducah's City Hall, children were found sleeping on the floor, or were hurt in gang-style fights. While the area is only supposed to be a 24-hour holding facility, some offenders were kept there up to 35 days, said public defenders.

In a turnaround from a decade ago, twice as many inmates were turned down for parole in recent years as were granted it, according to statistics from the state Parole Board. Of 8,400 inmates who were up for parole between July 1995 and June 1996, 33.5 were released; 34 percent were ordered to serve their entire sentences; and 32.5 percent were sent back to prison to await a second shot at parole. Ten years earlier, the number of inmates released was 55 percent; less than 8 percent were required to serve their whole sentences.

**MICHIGAN** — A former Detroit police informant is suing high-ranking police officials who he says exposed him in order to stop investigations of organized crime in the city's Chaldean-American community. The informant, Francis Kattoula, claims he was double-crossed by 11th Precinct Cmdr. Ronald Haddad and Lieut. Joseph Alex, who, he claims, were giving protection to Chaldean businessman. Haddad has denied the allegations. Newspaper sources said at least one relative and one friend of Kattoula's were killed in 1995 in retaliation for his cooperation with police.

Tom Atkinson was named chief of the Ontwa Township-Edwardsburg Police Department last month. Atkinson, 44, is a 25-year law enforcement veteran who had retired as a captain from the Cass County Sheriff's Department Detective Bureau.

Under a new law that took effect April 1, convicted drunken drivers — including first time offenders — could lose their cars as well as face jail time. The law will also take away the vehicle of anyone who hurts or kills someone after drinking, even if not convicted of drunken driving. The money from the sale of the vehicle will then be split between the victim or the victim's family and the law enforcement agency that made the arrest.

Anti-gay attacks, either verbal or physical, increased by 29 percent last year in the Detroit area, according to a gay rights group.

**OHIO** — Having already resigned

March 18 amid allegations he stole confiscated drugs, former Cincinnati police officer Matthew P. Taylor is now accused of making harassing phone calls to his former fiancée, Gail Ruth, who first lodged the drug-stealing accusations. Taylor, 27, denies the drug-theft allegations and said Ruth threatened to ruin his career after the end of their four-year relationship. Investigators revealed that no illegal drugs had been found in any of the stolen pills turned over to police. They did find marijuana residue.

**Clinton Township** Sgt. Mike Haley was named Police Chief in March, replacing Jerry Vugitz who died of a heart attack in January at age 51. Haley, a 22-year veteran who had been serving as interim chief, heads a department of nine full-time and 21 part-time officers, three part-time dispatchers and one full-time clerk.

Anyone with outstanding arrest warrants would be forbidden from obtaining a driver's license or registering a motor vehicle under a bill approved March 20 by the House.

A proposed law that would prevent public safety employees from collecting both a tax-free disability pension and workers' compensation benefits at the same time was unveiled March 18. The draft legislation, which is expected to face a tough battle in the General Assembly, stipulates that recipients in any of the state's five retirement systems must agree to undergo rehabilitation or medical treatment if a doctor for the system finds there is an expectation of improvement. If the disabled employee gets another job, the disability benefits would be reduced until the employee becomes eligible for normal retirement. In addition, lifestyle factors such as smoking would be taken into account, a pre-employment physical would be required, and police and firefighters would be deemed disabled if an injury prevented them from earning 30 percent of the salary they were making one year before the disability.

A proposal by Cincinnati City Councilman Dwight Tillery would allow police to arrest on sight any person found in any of five city parks who had been previously arrested or convicted of an offense there.

**WISCONSIN** — Kenosha Police Officer Thomas Knight could face a 30-day suspension for singing "Jesus Loves Me" over a loudspeaker to calm a crowd last month while his partner handcuffed a suspect. Knight has been reprimanded in the past. His lawyer said the tactic usually gets people to stop fighting and start laughing.



A hand holding a stack of papers, possibly a bill or document.

**IOWA** — The Iowa Supreme Court ruled March 26 that Wal-Mart Stores Inc. cannot be held liable for selling ammunition to 20-year-old Chad Schleicher, who used it to commit suicide in 1993.

**KANSAS** — A former Pittsburgh police captain, Mark C. Metzger, 37, was

sentenced March 23 to 26 months in prison for theft and burglary. Investigators said they found over \$75,000 in cash and property that was taken from businesses between 1994 and 1996.

**MINNESOTA** — Overriding the recommendation of an administrative law judge, the St. Paul City Council on March 12 denied a Hamline-Midway man, Gregg Perkins, a license to sell firearms. Perkins's store is not far from a popular playground.

A Minneapolis sixth-grader was suspended from school last month for bringing a gun to class. Under the school's zero-tolerance policy, the child could be expelled for a school year, for a calendar year, or until the student petitions his way back in.

**MISSOURI** — While prosecutors were gathering enough evidence to charge Steven L. Jones of Barnhart with rape, he allegedly attacked another woman. Jones, 30, was charged with one count of forcible rape of a 16-year-old girl. He was also charged with sexual assault in the earlier case. Prosecutors have also opened up a 1988 case in which Jones was charged but never prosecuted because of conflicting accounts.

St. Louis County will spend up to \$75,000 to buy 50 new high-powered, semiautomatic weapons and an armored vehicle, following an incident in which two gunmen who opened fire with such weapons in a bank.

**NEBRASKA** — Adams County went \$15,000 over budget during the past fiscal year, due largely to growing incidents of juvenile crime and the payment of court-appointed lawyers. Roughly 76 percent of the legal-fee claims in the past two years were filed for juvenile cases.

**SOUTH DAKOTA** — Orange uniforms at the Minnehaha County Jail have been replaced with black-and-white striped ones. One inmate said he and fellow prisoners looked like Dr Seuss characters.

**WYOMING** — One-hundred state inmates from Rawlins were shipped March 19 to a prison in Taylor, Tex., to help ease prison overcrowding.



A hand holding a stack of papers, possibly a bill or document.

**ARIZONA** — Gary Bauer, the alleged leader of the Viper Militia, began a nine-year prison sentence March 20 on Federal conspiracy and weapons charges. Bauer, a decorated Vietnam War veteran, pleaded guilty to 11 counts, including conspiracy to make and possess explosive devices and unlawful possession of machine guns.

**COLORADO** — Police netted 343 drunken drivers statewide during a three-day, St. Patrick's Day sweep.

The House Local Government Committee in March overturned a ban by the Senate on the use of photo radar to cite speeders. The committee passed its own bill that would allow the use of

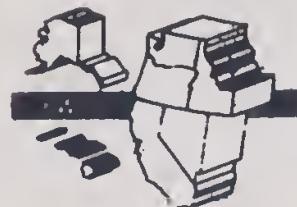
photo radar, but would prohibit adding penalty points to the motorists cited under it.

**NEW MEXICO** — Gov. Gary E. Johnson signed a bill March 18 that will make a second stalking offense a felony punishable by up to 18 months in prison. A first offense is a misdemeanor.

**OKLAHOMA** — Ground was broken in Tulsa March 13 for the state's largest jail, a 1,400-bed, \$90-million facility scheduled to open in 1999. The cost will be paid by a sales tax approved by voters in 1995.

The state is seeking \$6.5 million in Federal funds to initiate a long-term drug strategy that would eliminate its reputation as a drug "crossroads" for interstate traffickers. The plan includes targeting major distributors.

**TEXAS** — The Lubbock Avalanche-Journal reported last month that a computer glitch has resulted in some traffic scofflaws being listed in official records as drug traffickers, child molesters or burglars.



A hand holding a stack of papers, possibly a bill or document.

**ALASKA** — A judge ruled March 18 that Anchorage can start random drug-testing its police and firefighters. Unions had argued that workers' rights to privacy were being violated.

Enhanced 911 service went on line March 11 in the Fairbanks area, giving operators the ability to determine a call's point of origin.

**CALIFORNIA** — The state's most populated areas suffered about 12 percent fewer crimes in 1996, the largest single-year decrease on record, according to state Justice Department records.

A cat burglar who police say stole about \$1.5 million in cash and jewelry between December 1994 and January 1995 from homes in Rancho Santa Fe

was sentenced March 17 to a prison term of 140 years to life. The defendant, James Riviera, had a lengthy history of burglary convictions in northern California, Arizona and New Mexico.

Johnnie Cochran, O.J. Simpson's criminal defense lawyer, has been hired by the family of a Los Angeles police officer who was killed by a fellow officer during a confrontation at a traffic light. Det. Frank Lyga, 40, wearing undercover clothes, claims he shot Officer Kevin Gaines, 31, in self-defense. Gaines, who was off-duty, apparently waved his firearm at the undercover officer. Neither man realized the other was a policeman.

U.S. Border Patrol agents detained a record 10,664 illegal immigrants in February. Officials say illegals are streaming into California's Imperial Valley, believing it easier than entering the country through San Diego County.

**HAWAII** — Honolulu City Councilman Andy Mirikitani has proposed that a vacant concession stand at Ala Moana Beach Park he converted into a combination police and lifeguard stand to improve security.

**OREGON** — A 28-year-old Tualatin woman, Kay Pionkowsky, was charged with trying to murder Elroy Egger, 29, who had been charged with molesting the woman's school-age daughter. Relatives disarmed Pionkowsky before she could get her gun to work, said police.

**WASHINGTON** — The number of knives and guns brought to Tacoma schools last year declined by 40 percent from the year before, a recent study reported. However, officials say they are seeing more makeshift weapons, such as umbrellas or sharpened pencils.

A Federal prosecutor said March 20 that the Government will re-indict seven people with ties to right-wing extremist groups on bomb conspiracy charges, after a Federal District Court jury in Seattle deadlocked in February on a broad conspiracy charge and a mistrial was declared. The defendants are founders of the paramilitary movement in Washington.



**City of  
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**CHIEF OF POLICE**  
\$7.3 M budget; 91 fte's

Olympia, Washington State's Capitol City, is a diverse community of 37,000 located at the southern tip of Puget Sound between the two major metropolitan areas of Seattle, Washington, and Portland, Oregon.

The City of Olympia embraces a *Service First* philosophy which focuses on the needs of the customer, continuous improvement and public involvement. Candidates should have a track record of success, innovation and strong, creative leadership in a COP/POP agency.

The City seeks a well-grounded Law Enforcement professional with varied management experience. The competitive candidate will have a history of human service participation as well as building partnerships with diverse communities within the City. The successful candidate will be responsible for collaboratively defining and implementing COP/POP in Olympia, and will serve as both a personal and professional mentor for the men and women of the Olympia Police Department.

A Bachelor's degree is required and a Master's degree is desired. Salary for the position depends on qualifications and the entire compensation package is currently under review. Olympia is an Equal Opportunity Employer and all qualified candidates are encouraged to apply.

Please send resume and cover letter no later than May 28, 1997 to Waldron & Company, 101 Stewart, Ste. 1200, Seattle, WA 98101.

# People & Places

## Chief's star turn

A Kentucky police chief said he was taken completely by surprise last month when he received a package in the mail containing a Bronze Star, awarded to him for his courage during one of the first and fiercest battles of the Vietnam War.

Covington Police Chief Al Bosse received the honor from the Army on March 7, followed a few days later by a certificate that lauded his valor during a battle at the Drang Valley, which started as a simple check for the presence of Viet Cong guerrillas in the area but instead turned into the first major clash between U.S. and North Vietnamese troops.

In November 1965, Bosse was a volunteer soldier assigned as a radio operator to the field commander, Lieut. Col. H.G. Moore, when he was dropped into the valley by helicopter to survey enemy positions, along with several other battalions. The American troops, greatly outnumbered by the enemy, found themselves in the center of a battle that raged for three days. Bosse spent much of the time dragging wounded soldiers from the action so they could be evacuated by helicopter.

Bosse was honorably discharged in 1966 after having served three years with the Army. The following year he had joined the Covington Police Department, and gradually worked up his way through the ranks to become chief of the 107-officer agency in January 1995.

While survivors of the 1st Air Cavalry met at yearly reunions held in Arlington, Va., after the war, they apparently lost track of some members, including Bosse. But about four years ago, Bosse saw a television documentary about the battle and was able to reconnect with his old Army buddies, including Moore, who retired from the Army at the rank of lieutenant general.

During last year's reunion, Bosse spoke with Moore, who didn't mention

anything about the medal, although the Chief suspects Moore was the one who nominated him for the honor. "I really was surprised to get it," he told Law Enforcement News.

Unlike many of his generation, Bosse said he made no moral judgment about the war and never took part in the anti-war protests that were commonplace when he returned home. "I was only 20 years old when I was there and I just felt like I was doing my service for the country," he said. "I never thought about all of that other stuff like the protests. I volunteered for three years and put my time in."

## Happy landing

Two veteran Cleveland police officers narrowly escaped death last month when the engine of their helicopter exploded about 600 feet above the city, leaving the aircraft without power and forcing the pair to make a hard landing in parking lot.

The incident occurred on the night of March 19 as Sgt. Ken Albright, the aircraft's pilot, and co-pilot Officer David Elmore, were on a two-hour, routine patrol flight. Albright, 53, said he and Elmore heard a bang before the helicopter turned sharply to the left and began to drop at the rate of 1,800 feet a minute.

Albright, who has worked as a pilot since 1989, told The Cleveland Plain Dealer that he kept his cool during the incident, that his only concern was to get the helicopter down safely and without harming anyone on the ground. He said he relied on his years of training to land the crippled aircraft successfully.

"You've got about 10 to 15 seconds before you're on the ground," he said. "You don't think. You just act."

The craft "dropped like a rock" on the last 20 or 30 feet of its descent, said police spokesman Sgt. Mark Hastings. The officers, fearing an explosion, bailed out of the helicopter and darted

## New tune for Indiana SP

Superintendent hopes to have agency humming along

Mel Caraway, the first black officer ever appointed to head the Indiana State Police, is a classically trained singer who wants the 1,200 troopers under his command to learn a new tune as well — one that emphasizes integrity, service and leadership.

And while he is proud to be the agency's first black Superintendent, Caraway said he reached the top the old-fashioned way — through "hard work, initiative, motivation and opportunity."

"I'm proud to be an Indiana State Police officer first and above all, and to have an opportunity to serve the state of Indiana," he said during a recent interview with Law Enforcement News.

Caraway, 43, who served as director of the Indiana Emergency Management Agency from 1992 to 1994 while retaining his ISP rank of major, was sworn in on Jan. 13 with a mandate from Gov. Frank O'Bannon to "recreate the agency for the 21st century."

Caraway said he will encourage troopers to bring new ideas and suggestions from the field, adding that law enforcement needs to explore new ways of getting the job done. "In my book, tradition has become a dirty word because

we haven't utilized the resources of all the good people in the agency," he said.

The Superintendent, who speaks four languages, added: "I don't give speeches without talking about my vision for the Indiana State Police — integrity, service and professionalism. All that we have to give citizens is ourselves, and they have to believe we're honest, straightforward, and that we care about what we're doing. The only thing we have to provide them is service — we're not making widgets — and the service we provide should be of the quality that everyone expects from law enforcement."

Caraway said he also wants the agency to develop the leadership potential of the rank-and-file. "What we ought to be doing is creating leaders who are able to come behind us, and take over our responsibilities — not because we fail at what we do, but because they are leaders in what they do. That's a different philosophy for law enforcement. We shy away from that because we're always looking over our shoulders worrying about the next guy."

The agency's technological capabilities are another high priority, Caraway said. "We're probably about five to 10 years behind private

industry in the use of technology. We've made some advances, but officers on the road need to have technology available to them to do their jobs better."

This month, the agency was to begin testing mobile-data systems in 10 patrol cruisers as part of a pilot program that Caraway hopes will result in the installation of computers in all of the agency's patrol vehicles. He is also lobbying the Legislature for funds to upgrade the 800-megahertz communication system so that it can provide more comprehensive coverage of the state.

Caraway began his ISP service in 1979, after a three-year hitch as an Army intelligence officer, where he learned German, French and Korean. Prior to military service, he had received his bachelor's degree in music from Heidelberg College in Tiffin, Ohio.

"Music has been a part of my life as long as I can remember," said Caraway, a tenor who has performed with the Indianapolis Symphony Orchestra and the city's Symphonic Choir. He also is vice president of the prestigious McAlester competitions in which talented high school and college vocalists compete each year.

away from it once they were on the ground, he said. They were treated at a local hospital for "aches and pains, but they're OK," he told Law Enforcement News.

The helicopter involved in the aviation unit's first accident didn't fare as well. The aircraft, one of three the city had purchased when the Police Department created its aviation unit in 1989, was a total loss, said Hastings. The aircraft, which was used mostly for training, received regular maintenance checks, according to Sgt. Alan Chonko, an aviation unit supervisor.

An investigation by the Federal Aviation Administration and the National Transportation Safety Board found that a bolt in the engine broke, sending a piston through an engine wall and resulting in the loss of power.

## Aw, shoot. . .

No one can say that Texas state Representative Ray Allen (R.-Grand Prairie) isn't a straight shooter. Allen, along with Dallas County Constable R.L. Skinner, wants to teach his colleagues — especially those who oppose the state's concealed handgun law — to shoot, if only so they can see what the training is all about.

"I think it will help diminish the anxiety of those who oppose the . . . [law] when they realize how really restrictive it is," he said.

Allen and Skinner own a shooting range in Grand Prairie that he said could

accommodate 30 people in a class. In short order after he extended his invitation to colleagues in early March, about 20 House members, relatives and staffers expressed interest.

Allen is an instructor for concealed handgun-license applicants. In the year-and-a-half that the Texas law has been in effect, the Firearms Training Academy operated by Allen and Skinner has certified 4,700 people for permits.

The class that Allen and Skinner provide to legislators will cost between \$40 and \$50 per person, representing the actual cost of all services. Allen said he is trying not to profit from his colleagues, and to avoid an ethical conflict, printed the solicitation on his personal stationery, telling those interested to respond to his private telephone or fax number.

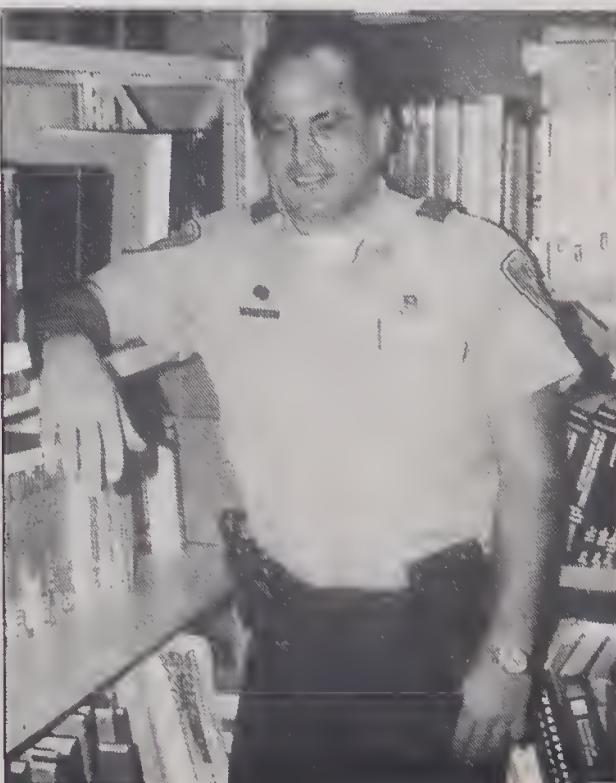
Allen will provide the Glock-17 9mm. semiautomatic handguns, ammunition, targets and protective gear for eyes and ears. The class will include 10 hours of instruction on the concealed handgun law, the use of deadly force, nonviolent dispute-resolution and safe gun storage. The students are given a written exam and shooting proficiency test on the range.

## Black minister beaten.

## White cop accused.

## Black police chief resigns.

Get the full-color facts on why Delaware may be moving closer toward a statewide citizen-police review board. On Page 6.



## Class act

Denton County, Texas, Deputy Pat LeMaire has gone back to school, and will soon wrap up his first year as the Resource Deputy for the 2,200-student Northwest Independent School District in Texas. LeMaire, a former D.A.R.E. deputy, now has a range of duties that include everything from rapport-building to arrests, from mediation to investigations and arrests. Said Sheriff Weldon Lucas, "I'm extremely happy that Pat is the Resource Deputy. The relationships he establishes now with these young people will determine for many of them how they look at law enforcement officers."

# Taking back the streets

## D.C. suburb finds environmental design offers crime antidote

Officials in the small Washington, D.C., suburb of Mount Rainier, Md., tried everything they could think of to drive brazen drug dealers from a section of a main thoroughfare near City Hall, which was built three years ago on the former site of a notorious crack house.

But no matter how many raids police conducted or arrests they made, dealers and their customers kept returning to the section of Rhode Island Avenue that they had claimed as their own, right near the heart of the city's business district. A strategically located alley — along with a police policy terminating pursuits at the city limits — afforded suspects a quick and easy escape into Washington, whose northeast boundary abuts the Prince George's County community of 8,000 residents.

Nor were the dealers about to give up their turf without a fight. In recent months, they were suspected of overturning a police car and tearing down fences that had been erected by the city to block escape routes. In another incident, someone doused the back of a police station with a flammable liquid and ignited it, but the flames caused no damage.

Matters escalated over the President's Day weekend, after the city erected barricades and prepared to mount a videotape surveillance camera near the trouble spot, when a police cruiser and city-owned truck were torched and several other police cars had their tires slashed.

Police believe angry drug dealers are to blame for the destruction, which was condemned by Mayor Fred Sissine as a "cowardly response." Two men were arrested this month in connection with the incident, said Police Chief John Thompson, who

Brazen drug dealers weren't giving up their turf without a fight. Police in Mt. Rainier, Md., put up concrete barriers and iron gates to cut off escape routes, and the impact is immediate — the dealers are gone and haven't returned.

declined to speculate on whether the pair were involved in the drug trade, saying only that the suspects "were known to police."

The Chief said police now appear to have the upper hand, thanks to its application of the urban design principles known as crime prevention through environmental design (CPTED) and the installation of the video camera — the first of several that eventually will be installed to monitor criminal activity in the area. "We've got 'em on the run, and we're winning. I just hope it stays that way," Thompson said.

The department had tried a variety of strategies to keep dealers out of town, the Chief recalled, including increasing patrols and conducting surprise crackdowns. But soon as officers left the scene, the dealers and their customers would slink back.

Thompson, who has led the 15-officer agency since 1990, told Law Enforcement News that the situation also had a negative impact on patrol strength. "We couldn't be there 24 hours a day," he said, noting that only two or three officers patrol the one-square-mile town during each shift.

The \$7,000 video camera, which was purchased with funds donated by the Mount

Rainier Business Association, marks the first time a jurisdiction in the immediate Washington area has used video surveillance to monitor a crime-plagued area. Last year, Baltimore police announced a plan to install cameras throughout a downtown district popular with tourists.

But the most significant impact on the problem, Thompson said, has come from the concrete barriers and planters and heavy iron gates constructed at alleys and streets that had doubled at escape routes.

It is too soon to tell how much of a crime deterrent the video camera will be, the Chief said, but the gates and concrete barriers had an immediate effect. "It was like the difference between night and day. The day after we constructed the gates, the dealers were gone — and they haven't returned."

The positive outcome has made Thompson a firm believer in the effectiveness of CPTED, which is based on the central premise of planning or reconfiguring communities to limit the access of outsiders and potential criminals. The concept, which has become increasingly popular in recent years, is being utilized by scores of cities nationwide, as well as in housing developments overseen by the U.S. Department of Housing and Urban Develop-

ment. [See LEN, Dec. 31, 1995.]

Now Mount Rainier officials are looking for other areas where CPTED could be used. "I know it's effective. Those planters in the street did in two weeks what I couldn't do in four years," Thompson said. "We'll use it everywhere we can possibly use it."

The Police Department participates in a multiagency program called Partners on Patrol, in which county and local police officers work together to conduct joint patrols along the D.C. boundary. Agents and officers who participate in the program have arrest authority up to one mile on either side of the District line.

The arrangement has been "one of the most important things we've tried to do, but it's never been fully implemented," Mayor Sissine told LEN. "It's mainly been a resource issue, but for us, it was very frustrating because we know that's the kind of thing we need to solve this problem. We haven't given up on it."

Chief Thompson added that tight budgets have prevented many of the agencies, including Washington's Metropolitan Police Department, from launching the anti-drug offensives on a regular basis.

Mount Rainier residents are showing their support for the police, who have urged them to help solve the problem, by forming block-watch associations and other community-based anti-crime and prevention programs. "We're very appreciative to our local police department and to all of the outside investigative agencies who have come in to help us," Sissine said. "That's really going to make a difference in terms of cleaning up the problem and developing a long-term solution."

## In Okla. City bombing's wake, militias still seen posing public-safety threat

As jury selection began in Denver last month in the trial of Timothy McVeigh, the man accused of blowing up the Federal building in Oklahoma City in the worst act of domestic terrorism in U.S. history, a group that monitors the self-styled militias that allegedly influenced McVeigh says the anti-government movement continues to pose a grave threat to public safety.

At least 858 so-called Patriot groups, including 380 armed militias, were active in the United States last year, a 6-percent increase over the number of groups identified in 1994 and 1995 by the Klanwatch Project, an arm of the Montgomery, Ala.-based Southern Poverty Law Center which monitors extremist groups around the nation. The findings appeared in the report "Two Years After: The Patriot Movement Since Oklahoma City," which was released March 4.

The number of groups committed to anti-government extremism in the United States is growing, and individuals connected to this movement are involved in a wide range of criminal activity, much of it violent," the report stated. "Patriot groups are collecting sensitive intelligence on public institutions and sharing it through a sophisticated communication network. They have access to destructive weapons and appear willing to use them in order to impose their agenda on America."

The Klanwatch Project created its Militia Task Force in 1994, a year before the existence of the Patriot movement exploded onto the national

consciousness following the attack on the Oklahoma City Federal Building, which killed 168 people. Six months before the blast on April 19, 1995, the Southern Poverty Law Center warned Attorney General Janet Reno that the "mixture of armed groups and those who hate is a recipe for disaster."

McVeigh, who is accused along with Terry Nichols of setting off the fertilizer and fuel oil bomb, was alleged to have links to white-supremacists and Patriot groups. Nichols is due to be tried after the McVeigh case is concluded later this year.

"The Patriot movement is firmly entrenched in this country," said Klanwatch director Joe Roy. "A winnowing process has taken place since Oklahoma City. While casual adherents

have abandoned the cause, new groups have been formed to take their place. What remains are true believers who are isolated from the political mainstream and committed to an extreme anti-government agenda."

The report found that U.S. law enforcement authorities last year arrested numerous Patriot and militia members for illegal activities they committed to further their cause. Over one-third of the crimes involved explosives, the report said.

"After Oklahoma City, a Patriot leader warned U.S. authorities to 'expect more bombs.' He was right," Roy said.

Along with bombings, Klanwatch warned that militia groups may launch a biochemical terrorist attack on the

United States "that would result in massive death and destruction."

The extremist groups have sophisticated intelligence-gathering operations for collecting information on public and private targets, Klanwatch said. "This nationwide effort is seen as a prelude to war against the military and law enforcement," the report noted, adding that the movement uses short-wave radio broadcasts, fax machines and the Internet to spread its ideology.

Despite claims that the Patriot movement is open to all, Klanwatch said it continues to compile evidence that many of the groups are increasingly influenced by racist ideology. It identified 101 active militias and support groups with ties to white supremacists and anti-Semitic organizations.

## Md. recruits drug history eyed

A bill that calls for the establishment of minimum standards on prior drug use by those seeking to become peace officers in Maryland passed the Legislature this month and now awaits Gov. Parris Glendening's signature.

The bill, which was introduced in January by Delegate James Hubbard, an 18-year veteran of the Prince George's County Sheriff's Department who holds the rank of lieutenant colonel, authorizes the state Police Training and Correction Training Commission to develop and promulgate minimum standards on prior drug use by law

enforcement applicants. Hubbard introduced the legislation after he conducted a survey of Maryland law enforcement agencies and found that such policies varied widely.

The bill, which had previously won unanimous approval from the state Senate, passed the House of Delegates in a vote of 131-2 on April 7. It had the support of several state law enforcement organizations, including the state Fraternal Order of Police, the Maryland Chiefs of Police Association, the state Sheriffs Association and the State Police.

Hubbard, a Democrat, said he expects Glendening to sign the bill sometime this month. It would become effective June 1, but the training commission would be given nine months to develop and finalize the minimum standards.

"I think it's a great thing," Hubbard told Law Enforcement News. "The citizens of the state are the beneficiaries because they'll know there's a minimum standard of prior drug use which allows chiefs to be more restrictive, but doesn't allow them to go below the standard."

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## Meeting the Challenges of Crime and Justice: The Annual Conference on Criminal Justice Research and Evaluation

July 20-23, 1997  
JW Marriott Hotel  
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The purposes of this national conference include:

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  - (2) Discussion Panel: *How a Community Impacts the Justice System: Administering Justice at the Community Level*
- Convene NIJ, BJA, OJJDP, and other OJP grantees currently performing criminal justice program evaluations and research studies, together with participants interested in evaluation and research results.
- Create a national forum for the exchange of evaluation results, research findings, and program information related to crime, drug control, and violence initiatives.
- Produce a summary of program abstracts to report on promising programs and approaches in critical areas of preventing and controlling crime, drugs, and violence.

This conference will include over 40 plenary sessions, panels, and training workshops. More than 100 leading criminal justice evaluators, researchers, practitioners, and policymakers will be featured as presenters. This year, over 600 participants are expected to attend.

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# Alleged beating incident takes down Wilmington chief

Wilmington, Del., Police Chief Samuel D. Pratcher resigned last month in the wake of the beating and arrest of a prominent black minister, allegedly by a white police officer.

Pratcher had allowed the officer to remain on patrol duty following the incident, despite a request by Mayor James H. Sills Jr. to place him on desk duty pending an internal investigation.

Anthony Hicks, a spokesman for the Mayor, said Pratcher decided to resign March 21 rather than reassign Officer Kurtis S. Crawford, who was accused of beating the Rev. Lawrence M. Livingston with his nightstick during a traffic stop three days earlier. Sills had asked Pratcher to transfer the officer to a desk job pending the outcome of an internal probe of the incident, which has angered residents of Delaware's largest city and fueled demands for citizen review of the agency.

The Chief's resignation came just a day after he and the Mayor held a press conference to show support for a bill that would set up a statewide citizen-police review panel. Pratcher, a 25-year Wilmington police veteran, became the city's first black police chief when Sills appointed him three years ago.

"It was a situation that the Mayor would have preferred didn't surface, but he took the action because he felt it was not only in the best interest of the community, but also in the interest of Officer Crawford's safety as well," Hicks, the Mayor's spokesman, told Law Enforcement News this month. "The Mayor does not engage in a practice or pattern of micro-managing the Police Department.... He asked the Chief to make his decision, and the Chief made his decision."

Sills appointed Insp. Michael Boykin to serve as acting chief as the city conducts a regional search for Pratcher's successor.

The beating incident shook public trust in the Police Department and has prompted at least one demonstration. On March 23, about 400 people from the Ezior Mount Carmel United Methodist Church, where Livingston is pastor, descended on police headquarters to demand reforms.

The incident also has increased support for a bill introduced March 20 by state Representative Al O. Plante that would create a five-member Public Review Board to investigate written complaints against state, county and

municipal police officers.

Under the proposal, the Governor would choose one at-large member, while other members would be appointed to represent the state's three counties and Wilmington. The board would investigate complaints stemming from "any instance in which a citizen of this state is physically injured by a state, county or municipal policeman beyond what is reasonably necessary in order for the policeman to perform his duty," according to the bill.

The board would have disciplinary power in cases where it found wrongdoing, with the authority to impose civil fines of up to \$1,000; paid or unpaid suspensions of up to 60 days, and termination "for cause" of officers found to have engaged in misconduct. The board, whose members would serve three-year terms, could also refer cases to the Attorney General's office for possible criminal prosecution.

"I'm concerned about the perception that our Police Department may be out of control," said Mayor Sills, announcing his support for the bill.

Hicks said Wilmington officials are doing all they can to shore up public support for the Police Department. "All in all, I think there are still concerns, but I think people have faith and trust in the Police Department's and the Mayor's ability to investigate this thoroughly," he said.

The incident began when Crawford pulled over Livingston for allegedly running a red light. Two passengers in Livingston's van claim that the officer, a three-year veteran, also sprayed pepper gas at the minister and put a gun to his head during the incident.

In a court affidavit, Crawford stated that the minister got out of his van and started yelling when he was pulled over. "The defendant then began pushing the officer and refused to stop fighting," forcing Crawford to resort to using his nightstick and pepper spray to subdue him, the affidavit added.

Initially, Livingston was charged with menacing an officer, a felony, and several misdemeanors, including resisting arrest and disorderly conduct. The felony charge was later dropped.

The March 18 incident occurred the same day that a white Wilmington police officer, Scott Chaffin, was cleared by an independent panel in the shooting death of a homeless black man suspected of burglarizing a vacant house.

## Five more agencies grab CALEA brass ring

Five law enforcement agencies received their initial accreditation at the most recent meeting of the Commission on Accreditation for Law Enforcement Agencies, while 10 other agencies were certified for at least the second time.

The recent round of awards, announced last month in Rochester, N.Y., brought to 581 the number of agencies that have been accredited since 1984.

Agencies that earned their initial accreditation were police departments in the Township of Derry, Pa.; Newark, Del.; Plainfield, Ind.; Richmond, Mich., and the campus police at the University of California-San Francisco.

Agencies that were accredited for the third time included police depart-

ments in Buffalo Grove, Ill., and Salisbury, Md., as well as the Henrico County, Va., Division of Police and the Montgomery County, Ohio, Sheriff's Office.

Agencies that earned accredited status for the second time were police departments in Fairfax, Va.; Fort Pierce, Fla.; Kingsport, Tenn.; Port St. Lucie, Fla., and Raleigh, N.C., as well as the Amtrak Police Department.

CALEA itself earned certification, along with the Onondaga County, N.Y., Department of Emergency Services, under a program begun by the commission three years ago which is geared to stand-alone agencies that provide support services to law enforcement such as dispatch, court security and training.

# Pittsburgh, DoJ in historic consent decree

The Pittsburgh Bureau of Police has begun to implement provisions of a five-year consent decree devised by the U.S. Justice Department to correct an alleged pattern of police abuse that included claims that officers used excessive force, made false arrests and conducted improper searches.

The 40-page agreement is the first such accord to be signed by a major city since the Justice Department was authorized by the 1994 omnibus crime act to sue law enforcement agencies based on alleged abuse by officers.

Under the terms of the settlement, the city denies all allegations of a "pattern and practice of misconduct" or that inadequate management allowed problems to fester. Nonetheless, the city agreed on Feb. 26 to institute a number of reforms, including:

■ Developing a computer data base to record all complaints, shootings and arrests;

■ Requiring officers to submit detailed reports of every traffic stop, including data on the race and sex of motorists;

■ Reviews by supervisors of any officer accused of racial bias, which must be conducted within one week of a completed internal affairs inquiry;

■ Yearly training in cultural diversity and use-of-force, including de-escalation techniques, for all officers;

■ Investigating all citizen complaints filed with the city's Office of Municipal Investigation, whether submitted by fax or anonymous phone call;

■ Submitting to a periodic review of its compliance that will be conducted by an independent auditor appointed by the city, and providing a copy of the agreement to each officer, who must indicate in writing that they read and understood the document.

In a related development, as this issue of Law Enforcement News went to press, an Allegheny County judge ruled that supporters of a petition drive had enough valid signatures to put a referendum to establish a citizen review board on the ballot for the May 20 primary election. The Fraternal Order of Police had sued organizers of the ini-

tative, accusing them of faking some of the 10,339 signatures needed for the referendum.

Judge James McLean approved 12,065 of the 16,797 signatures collected by referendum supporters, rejecting the rest for reasons that included illegible and duplicate signatures and handwriting that did not match that on voter registration cards.

Four City Council members and the Citizens for Police Accountability, a police watchdog group, want the city to appoint a panel of citizens to investigate allegations of police brutality and other misconduct. Mayor Tom Murphy, who opposes the idea, said he will support the voters' decision, but the FOP vowed an immediate appeal of the judge's ruling.

Police Chief Robert McNeilly, a 20-year veteran of the bureau who was appointed to head the 1,150-agency last April, said some officers appeared to be in "a state of shock" upon hearing of the consent decree.

But McNeilly admitted that the department did not have the kinds of mechanisms in place that would warn supervisors about potential problem officers. Records were scattered throughout the agency's various departments, making it nearly impossible for supervisors to track officers for misconduct. The early-warning system should rectify that situation, he said.

"Right now, if I want to know an officer's history, I have to go to several different places — the training academy to see what training they've had, the Office of Municipal Investigations to see whether complaints were filed against them, and to the zone they work in to dig out their personnel files.... It's just a bad way of conducting business. What we need is a central depository, a data base where we can draw up any information we need," McNeilly said.

Many of the provisions were being considered or implemented before the agreement was reached, the Chief told Law Enforcement News. "When I came in, there were a lot of changes I wanted to make, but I realized it was too much for one person or even for a small group

to start making progress in so many areas at one time."

To that end, McNeilly has appointed more than 30 committees, each of which is charged with implementing a particular component of the decree. "It's been a very big project, even when trying to deal with such a small issue as putting together a use-of-force form. So much work is going into this to make sure we come up with the right things."

McNeilly has also ordered a stepped-up training schedule, including the possibility of bringing in consultants, so that the agency can comply with the training required by the agreement as quickly as possible. It is also seeking national accreditation with the Commission on the Accreditation of Law Enforcement Agencies.

The most controversial aspect of the decree involves the investigation of anonymous complaints, which has outraged members of the FOP's Fort Pitt Lodge No. 1, whose president, Marshall Hymes, said a court challenge is likely.

"It absolutely deprives officers of due process of the law — the right to face their accusers," Hymes told LEN. "If they can't prove the allegation, it's going to be lodged against him as an unsustained complaint, and will be kept in his file. If an officer gets several of these complaints over a period of 10 years, even though they're not proven, they'll be used against him [in promotions and transfers].... That's totally unfair."

McNeilly said that while the bureau "has no problem" with the provision, he insisted that anonymous complaints will not lead to disciplinary transfers or demotions, as the police union claims, although five or more sustained complaints against an officer could re-

sult in disciplinary action.

"I can't turn this bureau into a merry-go-round, transferring everybody because we start receiving anonymous complaints," McNeilly said. "All it says in the decree is that they will be investigated. Unless they're corroborated, they will be closed as unfounded. According to the labor contract, at the end of the year, unfounded complaints will be pulled out of an officer's file."

Allegations of misconduct and abuse against Pittsburgh police have increased steadily over the past several years, according to Vic Waleczak, executive director of the Greater Pittsburgh chapter of the American Civil Liberties Union, which filed a lawsuit against the city last year on behalf of 63 alleged victims of police abuse. But it was the 1995 death of Jonny Gammage, a black motorist who died after a scuffle with officers from Pittsburgh suburbs, that served as the catalyst for the consent agreement.

Gammage was driving his cousin's 1988 Jaguar when he was pulled over by police. A county coroner's verdict concluded that Gammage died from positional asphyxia, which cut off his air passage. Three officers were charged with involuntary manslaughter; one was acquitted by an all-white jury, while the proceedings against the other two ended in mistrials. All are expected to be retried later this year.

Civil-rights officials noticed a "sudden surge" in citizen complaints against Pittsburgh police about three years ago, when the Police Bureau began replacing a large number of retiring officers with young recruits, many of them from rural and suburban police departments.

"We spent about two years gathering information and complaints, but the effort was given a boost by the

Gammage case. Although it did not involve Pittsburgh police officers per se, it did put the spotlight on police misconduct in general, and a lot of people came out of the woodwork to file complaints with us," Waleczak told LEN.

McNeilly said another factor for the rise in complaints could be the frequent changes of leadership at the bureau, which has had five chiefs over the past decade. "When there are such dramatic changes in leadership, it's hard to keep a ship on course," he said. "It takes about 10 years to really change an organization... You can't change chiefs every two years. If you do, you're going to be left with bedlam."

The Chief said he believed some complaints arise from aggressive, proactive policing by officers, which he said has helped reduce Part I crimes in Pittsburgh by 13.4 percent last year, and by 17 percent in 1995.

The agreement "addresses every issue we raised in our complaint," Waleczak said. "We're very favorable toward the decree. Both the Justice Department and the city should be commended for coming up with it."

State Representative William Robinson, a Democrat who represents a sizable portion of the city, said that while the agreement addresses many issues that have concerned his constituency over the years, he still believes that outside monitoring of the bureau by a countywide, independent citizen panel is necessary.

"I don't think it's appropriate for the Police Bureau to try to monitor themselves under this consent decree. We need to have outside monitoring that is intensive and we need to immediately correct internal problems," including shoring up management to address racial discrimination against minority officers, said Robinson, who requested the Justice Department's civil-rights investigation of the bureau that led to the consent decree.

"It's an historic problem in Pittsburgh, and it's a problem that this administration and police establishment has denied," Robinson told LEN. "It only takes a few officers who engage in negative activity to put all of us in fear of police."

## Coming soon to a mall near you: Fugitive facts at your fingertips

"Crimescreen" kiosks change crime picture in Birmingham

Officials of the Birmingham, Ala., Crimestoppers program say that a year-long trial run of interactive computer kiosks that flash pictures and information about fugitives has been so successful that they hope to purchase and install two more of the systems in local shopping malls.

Users of the first pair of "Crimescreen" kiosks, which were installed last year in the waiting room of the Jefferson County Jail and in the city's Criminal Justice Building, which houses the county's courts, have phoned in tips that have led to the capture of at least four suspects, said Birmingham police Officer J.J. Williams of Crimestoppers, which is jointly run by city police and the Jefferson County Sheriff's Department.

Williams told Law Enforcement News that the fugitives picked up through Crimescreen were wanted for probation violations and crimes ranging from theft to attempted murder.

The kiosks, which were installed by the Birmingham Area Chamber of Commerce at a cost of \$5,000 each, allow users to browse through files of wanted criminals. By touching the interactive display, they can access fugitives' mug shots and information about their crimes.

"We're very pleased with it," said Tom Cosby, senior vice president of the Chamber of Commerce. "It's just an additional medium through which we can show those faces to the public."

Capt. George Cooley, who serves as commander of the city's West Precinct and also oversees Crimestoppers, said the kiosks have files on about 30 fugitives at any given time. The information is input and updated by sheriff's deputies assigned to the Crimestoppers program, he added.

Cooley said the proposal to put kiosks in local malls would probably elicit an even better response from the public, since those who visit the county

jail "may not have a great relationship with police in the first place."

"We suspect these things would be a whole lot more successful if we had them in the city's shopping districts and malls. We'd probably get a better response in a more friendly environment," Cooley observed.

AT&T and BellSouth sponsored the first two kiosks, and officials hope they can attract sponsorship from other local businesses to expand the program. The Chamber of Commerce also plans to hold a golf tournament, proceeds of which will go toward purchasing two new Crimescreens, Cosby said. "We'll put their names all over it," added sheriff's Capt. Jim Roberson, who runs the jail.

Officials could not supply statistics on the number of people who have used Crimescreen, but Roberson new kiosks would include software that will allow officials to tell how often it is used on a daily, monthly or yearly basis.

## CHIEF OF POLICE CITY OF CORAL GABLES

The City of Coral Gables, a community of 41,500 residents located in Dade County, Florida, is seeking a highly qualified police professional to lead its nationally accredited Police Department. The current salary range is \$65,166 to \$98,206 per year, with a comprehensive benefits package.

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To ensure consideration for this position, send résumé and references to: William E. Kotz, Employee Relations Director, 2801 Salzedo Street, Suite 200, Coral Gables, FL 33134, prior to June 13, 1997. The City reserves the right to continue this search until a suitable candidate is identified and employed.

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# FBI preps crime-info system of the future

Continued from Page 1

Harold Rogers (R-Ky.), who chairs the subcommittee that scrutinizes Federal law enforcement budget requests, charged that the FBI "has not delivered vital law enforcement systems... anywhere near within budget or on time."

FBI cost estimates for the NCIC project were initially set at \$73 million, but have since risen to at least \$183 million. The cost of the Integrated Au-

tomatic Fingerprint Identification System was originally estimated at \$520 million, but the final cost will more likely be closer to \$640 million, said McEwen. The projects were originally targeted for completion by December 1995, but the target date for both has since been pushed back to July 1999, he added.

"An estimate is not a budget," McEwen asserted. "It's somebody's

guess of what it will cost."

But McEwen downplayed the recent criticisms, saying that the rising costs and difficulties of developing the systems were well-known over a year ago.

"There is room for the FBI to bear criticism in its failure to complete the delivery of the system by December 1995," he said. "It's not something that just happened, but for almost a year now, the FBI has had these programs

well under control and the costs well-identified."

NCIC-2000 will replace and enhance the existing 30-year-old NCIC program, which currently holds 40 million criminal records stored in 17 data bases, including information on stolen property, guns, license plates, convicted violent felons, foreign fugitives, parolees and digitized mug shots.

A new data base will house the pro-

posed National Sexual Offender Registry, a list of convicted sex offenders that will be created under a law passed last year. McEwen said, and the system has the capability to add more data bases as they are needed.

One of the most significant capabilities of the overhauled NCIC is that it will enable police to conduct single-print checks against its wanted-persons data base from stations or from the field, provided they are equipped with portable fingerprint scanners and mobile data terminals in their police vehicles.

"That will be the most visible change because police can't do either that now," McEwen observed.

NCIC-2000 also will enable law enforcement to transmit other digital images, such as mug shots and photographs of evidence, with the use of a standard formatting protocol for submitting and accessing such files, which McEwen said will improve interagency communications.

The project's expanded and improved files will be more "user-friendly," McEwen added, providing enhanced name searches, such as allowing broader searches of names similar to or spelled slightly different from the one being sought.

IAFIS, which will replace and enhance the FBI's existing Identification Automated Services System, will contain all of the information now available through the bureau's massive collection of over 32 million fingerprint cards. It will automate the search process in which prints on file are matched from those of criminal suspects submitted to the FBI by state and local law enforcement agencies.

As a result, law enforcement officials should no longer have to sweat out a waiting period that had stretched from 40 days in 1995 to as long as 120 days by the end of last year to learn about possible matches. Ultimately, said McEwen, IAFIS will cut the time it takes to process searches to as little as two hours in urgent cases.

The sheer volume of cards that must be digitally processed — which, if stacked, would equal the height of 18 Empire State Buildings — is one reason why the system is not yet on line, McEwen said. Up to 75 percent of all the prints the bureau receives will be transmitted electronically when the project is complete, he noted.

Not only are FBI workers handling the chore of converting the cards to digital images, they are also processing the 50,000 or so new fingerprint records received at the bureau from U.S. law enforcement agencies in any given day.

"It is the biggest automated identification system in the world, something that's never been attempted before," McEwen noted. "It's not like you go down to CompUSA and buy something in a box. It's something that is being built from scratch."

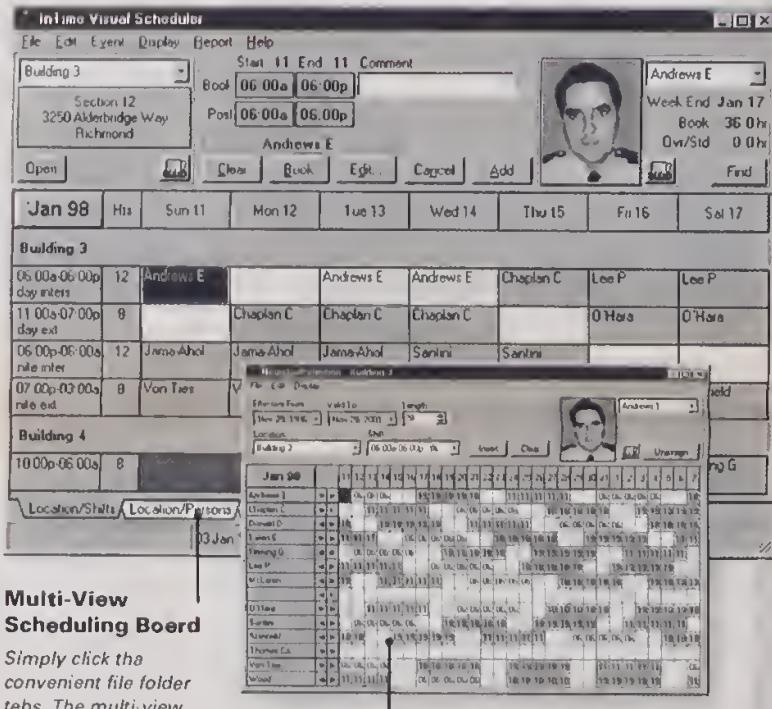
*[Coming up in LEN: What local police agencies brought to the development of NCIC-2000, and what they stand to gain from it.]*

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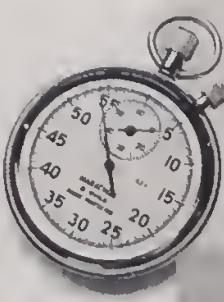
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# To hit crime, Miami targets illegal guns

The Miami Police Department's new anti-crime strategy — which includes controversial "DUI checkpoints" in areas with high rates of gun violence and increased enforcement against curfew violators, truants and violence-prone bars — is the agency's way of ensuring that the city's declining crime rate keeps on dropping, according to Police Chief Donald Warshaw.

Warshaw said he ordered the plan, which was launched Feb. 5, after a surge of violence in January, including the killings of five restaurant workers in an apparent robbery, the shooting of a teen-age girl in the face during a schoolyard brawl and the wounding of a police officer on New Year's Eve, apparently by an errant bullet fired by revelers shooting guns into the air.

The education strategies are part of the Police Department's "Non-Violence Project," said Warshaw, which has taught anti-violence strategies to more than 14,000 Miami and Dade County youths since it began last October.

The project is credited by Warshaw with reducing the number of gangs in Miami to a virtually non-existent level, at a time when gang violence is plaguing nearly every major U.S. city.

"It's about trying to create an atmosphere of safety rather than of violence," Warshaw said of the campaign.

During the 60-day period that ended April 1, the department conducted 25 curfew and about 50 truancy sweeps that resulted in the seizure of about 10 illegal weapons and scores of misdemeanor arrests, as well as about 20 felony arrests, Warshaw told Law Enforcement News. Officers assigned to other parts of the program have seized more than 225 guns, he added.

But the most controversial aspect of the plan involves the DUI roadblocks at which motorists are asked by police whether they are carrying illegal weapons in their cars. Twenty-one checkpoints have been set up since Feb. 5.

seized firearms that may have been used in previous crimes, targeting violent career criminals, gangs and high-volume narcotics locations, applying Federal statutes to prosecute gun-related crimes and gangs, and lobbying for stricter gun-control legislation.

But the effort also involves teaching gun safety and anti-violence strategies at Miami elementary schools and convening "working groups" at junior and senior high schools to plot effective anti-violence strategies and coordinating gun buyback programs with the support of the private sector.

Warshaw said he ordered the plan, which was launched Feb. 5, after a surge of violence in January, including the killings of five restaurant workers in an apparent robbery, the shooting of a teen-age girl in the face during a schoolyard brawl and the wounding of a police officer on New Year's Eve, apparently by an errant bullet fired by revelers shooting guns into the air.

Overall crime declined in 1996 for the third consecutive year, including a 12-percent drop in felonies and sharp reductions in misdemeanor offenses, but homicides were up 16 percent over 1995. Warshaw said part of the overall reduction is due to decentralizing the command system, putting lieutenants in charge of 12 neighborhood districts for which they are responsible "24 hours a day, seven days a week."

In addition, Warshaw noted, the department is in the midst of adding nearly 150 officers with the aid of grants from the Justice Department's Office of Community Oriented Policing Services, and is using other Federal grants to upgrade technology.

The "campaign against the illegal use of guns" includes a broad array of enforcement activities, many of which have been ongoing for several years, Warshaw noted. The campaign includes a partnership with the Bureau of Alcohol Tobacco and Firearms to track

Warshaw said, netting a total of six weapons, six felony arrests, 70 misdemeanor arrests and 26 DUI arrests.

The checkpoints drew fire from the Miami chapter of the American Civil Liberties Union, which contended that they would be set up in poor neighborhoods to target minority motorists. In addition, said Benjamin Waxman, chairman of the Miami ACLU, calling the checkpoints DUI roadblocks was "dishonest at the very least."

"Ostensibly, the way you would run a DUI roadblock would be very different than the way you'd run a gun roadblock," Waxman told LEN. "They were going to set these up in locations that in my opinion are in [minority] neighborhoods, and the burden of the program in our view would fall on minorities, which is how it always happens. You're not going to see roadblocks in well-to-do neighborhoods."

Waxman acknowledged that the ACLU has yet to receive any com-

plaints of police abuse from motorists who have been stopped at the checkpoints. "But that doesn't mean it hasn't happened," he said.

Warshaw admitted fanning some of the controversy when, in announcing the program in February, he said: "Roadblocks are to intimidate. We want to intimidate. We're going to make life miserable and difficult if you're riding the streets of Miami with a gun."

Reflecting on his choice of the word "intimidate," Warshaw observed: "I said it then, and I'll say it now: No ethnic group has a corner on the market on guns. The intimidation comes from the fact that citizens tell me they are intimidated from leaving their homes because of their fear of people with guns. Let's shift the intimidation to those who would prevent law-abiding citizens from enjoying freedom in their own neighborhoods."

Warshaw said police routinely meet with community leaders to inform them

of the impending roadblock. "The community always knows ahead of time," he said. "It's not a surprise."

The effort was thoroughly researched to ensure that it does not violate constitutional protections against search and seizure. Said Warshaw, "Our police officers are very well-schooled in what they can and cannot do."

Even so, the ACLU will continue to monitor the effort for police abuses. "I don't think it's an effective use of law enforcement," Waxman said. "The way to do it is the way the Constitution prescribes, which is to get information that gives you probable cause to believe that someone has illegal possession of a gun."

The Chief countered: "If crime goes down, homicide goes down, we're seizing weapons and streets are safer, then regardless of the reasons and who's getting the credit, it's a positive and that's all I can care about. It makes Miami a better place."

## The rewards of going to school

Public school officials in Multnomah County, Ore., have decided that paying the parents of chronic truants to ensure that the youngsters attend school may not be such a great idea after all. They've gone back to the drawing board and devised an alternative that replaces the cash with vouchers for fast food and movies.

The initial plan would have paid the parents of about 75 chronically truant students at two Portland elementary schools \$3 for a full day's attendance, and \$1 if the child showed up for a half a day. [LEN, March 15, 1997.]

The effort is part of a four-year, \$1-million research project aimed at curbing truancy, which was funded mostly by grants from the U.S. Justice Department's Edward Byrne Memorial Fund. The effort will also involve home visits by social-service workers, special classes for truants and counseling for them and their parents.

The county, which was going to make about \$8,000 available for the incentives, was roundly criticized by educators, local officials and parents of school-age children, who contended that paying for school attendance might

send the wrong message to truants.

During the first week of March, when the cash-incentive project was to get underway, officials proposed an alternative in which parents would be given a choice of vouchers for fast food, movie tickets and other items if they made sure their children got to school.

The plan, which would last about four to six weeks instead of the earlier project's 10 weeks, still must be approved by county commissioners. Officials also hope that local businesses will get involved by offering items that can be exchanged for the vouchers.

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When it comes to disciplines of community-based, problem-oriented policing, you would be hard-pressed to find one more devoted to the cause than Darrel W. Stephens, the Police Chief of St. Petersburg, Fla. Through three stints as a police chief and a fruitful run as head of the Police Executive Research Forum, Stephens has remained loyal to the principles of contemporary policing that he spells out in four words: partnership and problem-solving.

**Make no mistake:** Stephens' faith in the concept is no mere ivory-tower idealism or untried pie-in-the-sky optimism. He has seen the benefits of smart, proactive policing at virtually every career turn. Not even two days of devastating urban unrest in St. Petersburg last fall managed to shake his belief. If anything, says Stephens, the episode has made him more convinced that partnership and problem-solving are the answer to many of policing needs.

Like so many other recent incidents, the rioting that tried Stephens and the St. Petersburg Police Department was sparked by a police shooting. The white officer who killed a black motorist feared for his safety, and was cleared by a grand jury and given a short suspension by the department. Protests and rioting erupted in response to the October shooting incident, and again in November when the grand jury announced its conclusion. In between the two events, the Police Department took a variety of steps — some partnership-oriented, some problem-oriented, some just no-nonsense tactics — to assure that a second flare-up of unrest would be far less of a problem than the first.

More important, since November the department has been engaged in an ongoing self-assessment to identify areas that need to be addressed. The analysis entails as much looking inward as it does looking for community-based problems. In a report released April 8, the department admitted to being unprepared for the riots — at least the first round. As Stephens concedes in this interview, which was conducted several weeks prior to the report's release, officers lacked sufficient riot gear and were insufficiently trained for the situation at hand. Those issues and others are in the process of being remedied, says Stephens, who has been St. Petersburg's Police Chief since December 1992. And he'll have a little more time to get the job done: With a hotly contested mayoral election now in the books, Stephens was recently given a vote of confidence by the newly re-elected mayor.

Stephens, a published author and the holder of bachelor's and master's degrees, has served in an executive capacity for almost his entire 29-year law enforcement career, which began in 1968 as a police officer in Kansas City, Mo., an early crucible of research-driven policing. His career path has taken him to Washington, D.C., where he was a National Institute of Justice fellow, to Lawrence, Kan., where he was assistant chief, and to the top jobs in Largo, Fla., Newport News, Va., and, now, St. Petersburg. His six-year tenure as executive director of PERF kept him in constant contact with the brightest figures in cutting-edge law enforcement, and to this day he keeps on top of police innovation and encourages his officers and managers in St. Petersburg to do the same, often sending them hopping around the country to check on new ideas that might be worth adapting.

If the name of the game, then, is problem-oriented policing in partnership with the community, the name of the police chief is Darrel Stephens.



*A LEN interview with*

# Police Chief Darrel Stephens of St. Petersburg, Fla.

"Following these disturbances, we engaged in a debate on the value of our policing philosophy of partnership and problem-solving — people saying, 'Aha! It doesn't work!' I come out of all of this with even a stronger belief that that philosophy of policing is what we've got to do."

**LAW ENFORCEMENT NEWS:** It's now nearly four months since the rioting that scarred St. Petersburg last fall. How is the department rebounding from those disturbances?

**STEPHENS:** I think we're still in a position where people are trying to sort out what happened and why. We're continuing to do some after-action reporting to pull that together — it's actually taking us longer than I'd hoped. But we're moving along well with that. We've already taken steps to address some issues that were raised during the disturbance, particularly as it relates to equipment issues that were of concern to people. We thought we had sufficient equipment on hand for the situations that we had to deal with before that, and it turned out that we didn't. So we've already taken steps to deal with that. We've launched an effort with the Weed-and-Seed process in the areas that were affected by the disturbance, and through December and January we've had some very intensive sessions with members of the community about what the needs of the area are, from a policing perspective, an economic development perspective and a social issues perspective, to deal with some of the underlying problems. That has progressed very well. We've had lots of citizen participation in that, and I think the disturbances caused people to come out and participate and focus on the issues in numbers that we've not seen over the past four years.

**LEN:** The local police union has been sharply critical with regard to the equipment issue, saying the department was unprepared to respond to the disturbances in terms of being ill-equipped, understaffed and inadequately trained. Are all of those three valid criticisms, and are you addressing the others as well as the equipment issue?

**STEPHENS:** Well, there certainly is room for concern in all those areas. On the equipment issue, initially anyway, we didn't have an adequate number of shields to deal with the numbers of officers that we needed to provide them to. That was the key issue. We had about 250 gas masks and 150

protective helmets and that kind of equipment, all of our planning having been aimed at basically half of the department being focused on dealing with whatever disturbance situation we had, and the other half being deployed to police the rest of the community. It turned out that even with the half, it just didn't work, as we had other departments come in and help, and we needed to switch equipment from one person to another. Since then we have expanded, and have brought in a lot more shields, basically equipping every officer in the department.

Training is another issue. We'd done some of the traditional disturbance training as part of our in-service training program, with a segment on crowd control, using the gas mask equipment, that kind of thing. So it wasn't an issue that we had totally ignored; we've invested probably as much as any department, if not more, in dealing with areas you hope you would never have to deal with. But you know, you focus more of your energy on providing training and developing programs that would help you minimize the chances of having the kind of disturbances that we experienced. There's no question that you put yourself in a situation — and I've actually seen this take place — where you subject yourself to criticism about why aren't you training to avoid, rather than training and anticipating what's going to take place. We've tried to have the proper balance on that, to do some training every other year or so, but not make it such a part of the program that it takes away from some of those things that are critically important to doing your work on a day-to-day basis.

**LEN:** What about the staffing issue, which would seem a tougher nut to crack in some respects. Are you currently at or near authorized strength?

**STEPHENS:** Oh, yes. The only distance we are from authorized strength is not because of any freezes or anything, but because of the replacement cycles that go on. In fact, we overhired to stay as close as possible to our authorized strength. People in the department, then, and to a certain extent in the community, have come to believe that our staffing levels are inadequate. Inside, it's

**"We need to have a smaller force that needs to be adequately compensated, equipped and trained. The more you invest in buying bodies because everybody feels you're understaffed, the less ability you have to properly equip the department in other ways."**

associated with the commitments that we've made to community policing. We basically took 48 people away from call-response activity and assigned them to specific geographic areas and built teams around them. So the other officers' call workload increased. Their perception of being overworked and going call to call has increased since we've assigned these officers to working with the community to solve problems. So that's part of the staffing issue. When you look at what our actual workload is, which we've done several times over the past few years, the time committed to calls for service has certainly gone up, but it's on average about 35 percent across the board, with the highest areas in 41 percent or 42 percent during a given 4-hour period, versus the lowest in a 20-percent to 25-percent range.

**LEN:** How does that figure compare with other departments in the state or, for that matter, major city departments nationwide?

**STEPHENS:** It's really hard to know. People count these things and look at them in very different ways. Our time is basically 35 percent responding to calls, 50 percent on non-call-for-service activities — administrative things, self-initiated activities and things that they engage in themselves — and then 15 percent non-committed or residual from that. Based on a lot of the work that I've done around the country, it turns out to be somewhere in the area of 40 percent non-committed time and 60 percent engaged in calls and administrative activity.

**LEN:** So you may actually be ahead of the curve in that respect?

**STEPHENS:** We're not exactly sure. Part of our problem is the non-call-for-service time. We're in a process right now of trying to understand a lot more how that time is actually used. We know that some of it's from briefings and roll calls and meals and court time, and those kind of things; we've got a handle on some of those. But how much of that time is devoted to writing reports from calls and that kind of thing, that's something we're trying to get a little more precise on.

We use our resources maybe a little differently than some organizations. And from a community perspective, I think there's a visibility issue: "I never see a police officer." That's a universal thing almost in a lot of communities. We developed some call priorities, we manage our calls, and we handle reports and take some calls over the telephone, so there's a perception on the part of some people that because we do those things we're understaffed. We do them primarily because we can serve the community more effectively by handling calls that way, and use officers to work directly with the community. So in the staffing issue, you can get in on either side of that debate. My position has been for the entire time I've been here that we need to have a smaller force that needs to be adequately compensated, adequately equipped and adequately trained, and the more that you invest in buying bodies because everybody feels you're understaffed, the less ability you have to properly equip the department in other ways.

**LEN:** Are police salaries in St. Petersburg, to use your word, adequate? Are they reflective of what's being asked of your officers?

**STEPHENS:** No. I think we've fallen behind in comparison to other urban areas of the state, and even in our own county. We're right in the ball park with other departments in the county, but my feeling is that we ought to be higher. We have the most demanding policing challenge in the entire county. We have high expectations of our officers, and they have significant workloads. We ought to be right up near the top, or even a little bit ahead, as opposed to being just like everybody else.

## Preventive medicine

**LEN:** Going back to our discussion of last fall's disturbances, there were, of course, two incidents that stood as spikes, if you will, in the overall tensions: the initial rioting of Oct. 24 and the second flare-up about three weeks later that followed the grand jury's decision not to take action. In between those events, did the department implement any strategies that kept things from getting any worse than they did?

**STEPHENS:** During that time frame we had a much greater presence on the street around the clock. The coverage we had was probably doubled during that time frame, so that if any instances popped up that needed resources to be able to nip them in the bud, we had the capabilities of doing that. We also monitored what was going on in the community and tried to prepare for the eventual announcements by the grand jury and the department on the outcomes of the shooting investigations. We

did some planning to prepare for any problems that we might have because throughout that entire time we were hearing that if the officer was not indicted, there was going to be a repeat of what happened on the 24th.

**LEN:** Did you find yourself perhaps unconsciously casting a look back over your shoulder at the way things evolved in Los Angeles during the rioting there five years ago?

**STEPHENS:** Yes, but it wasn't in the subconscious, it was very conscious — even the way we handled the disturbance on the initial evening. There was some criticism, for example, of not being more aggressive in going after the rock throwers and the bottle throwers initially, and not pulling officers out who were subjected to that. I was there when it was taking place, and basically our feeling was that once the police car and the other vehicles were firebombed that we could not pull out because that's turning the streets over to rioters. What happened in L.A. is that when they pulled out of the situation there, it took them a day or so to get back in and get control. What we wanted to do was maintain our ground and then, as we got reinforcements, which we did from the sheriff's offices and other departments around here, we would have a coordinated body that could move out into three different directions. Some people believe that we should have gone after them sooner. I just felt like that was pretty risky business without having adequate people there to be able to really pursue it.

**LEN:** So you're saying, in effect, that tactics and planning helped to minimize the impact of the disturbances?

**"Basically our feeling was that once the police car and the other vehicles were firebombed, we could not pull out because that's turning the streets over to rioters."**

**STEPHENS:** I believe that. Now there were other people who'd say we didn't know what we were doing. That's a debate that you're not going to be able to successfully win one way or another. There's people who say that the second disturbance should not have happened at all. They place responsibility on the Police Department for allowing it to happen. I'm not sure what they would have expected us to do to make sure that a police officer didn't get shot, for example. But we did plan for the grand jury announcement. One of the things we did was regular cleanups of the Dumpsters, where we found about six tons of caches of rocks and bottles stored in different places. We cleaned those up. We did a number of things like that. We thought we were doing the kinds of things that would help send a message that we were prepared for any violence, and that that would serve as a deterrent. It didn't have the impact we wanted.

**LEN:** Have you since implemented preventive measures — from a police tactical or strategic standpoint, as opposed to broad Weed-and-Seed types of programs — that may help to reduce the likelihood that such rioting would recur in the future?

**STEPHENS:** Actually, I think the Weed-and-Seed kind of things are likely to have the most impact. It's really sort of difficult to deal with, because some people say part of the reasons the disturbances took place to begin with was because you didn't have a good relationship with the community and because you're strangers. I disagree with that for a large part of the community, but for part of the community they're right. So measures such as tactical and deployment and that kind of thing aimed at preventing those are pretty hard to come by. Lots of specific intelligence suggesting that something's going to happen then or there might help you to intervene.

## Death warrants

**LEN:** One of the more disturbing revelations to emerge from the reporting on last fall's rioting was the existence of a black separatist group, the People's Democratic Uhuru Movement, that publicly demanded the execution of the officers involved in Tyrone Lewis's death...

**STEPHENS:** And the Mayor and me, too.

**LEN:** How much weight do you attach to this particular group and its agenda?

**STEPHENS:** I think the group's existence had a significant

influence on both disturbances. Several of the people who showed up on the night of October 24 provided some additional rhetoric that was directed toward the police and designed to keep the crowd at kind of a fever pitch. A couple of times the pitch would go up, and we'd get it back down, and then they'd keep it going again. I don't think that they were responsible for all the things that happened either night, but I think they helped create the environment for people to act out that way versus using the traditional, more acceptable means of addressing grievances and having the police handle things. Over the period from the first disturbance to the second, that was primarily where all of the material was coming from that we were going to have continued violence. They issued different kinds of flyers and that kind of thing around the community. I think their presence and their activities contributed to the civil disobedience on both nights.

**LEN:** Had there been run-ins with this group prior to the rioting that might have sent up warning flags that they were trouble?

**STEPHENS:** There have been run-ins with the group for 25 years, although they've been much more active in the past couple of years. The individual who is kind of the founder and leader and director had spent 12 or 15 years out in California, in Oakland, but while he was away, there were different encounters with the police at different times. There's hardly any encounters that didn't result in problems or complaints. But the activity as a whole kind of jumped up when he came back to St. Petersburg.

**LEN:** Have there been any encounters of consequence with the group since the rioting last fall?

**STEPHENS:** A couple. In fact there was one just two or three weeks ago in one of our apartment complex areas. An officer was there on a drug-dealing complaint. One of the members of the group showed up, and every time they show up, there's a lot of verbal confrontations, a lot of things directed at the police. This individual was on private property, and the manager wanted him to leave. He refused to leave, and so it ended up with an arrest, and there was a little scuffle associated with that. That's probably the most significant one.

**LEN:** What exactly can a police agency do in the face of a threat such as the group issued last fall — "We're going to kill cops"?

**STEPHENS:** It wasn't quite like that. What they did was have a tribunal, and they found certain folks guilty and sentenced us to death in the state gas chamber. They didn't make direct threats in that way.

Whenever we encounter them — and probably the more common encounter with the members of the group is when they are selling their newspaper — there are ordinances, and sometimes you get calls about them being on private property and refusing to leave, as in shopping centers, for example. Or you get calls about them stopping traffic and that kind of thing, and so we end up having to respond. That's where you get most of the encounters. They will occasionally show up at the scene of an arrest and have something to say about what's going on and about the police and that kind of thing. What we try to do is deal with whatever we're dealing with as quickly as we can and move out of the area. Sometimes it gets to a situation like at the apartment complex, where the manager was saying, "You're trespassing on private property, please leave." And they just refuse to leave, so we end up in an arrest situation.

## Policy violated, training forgotten

**LEN:** The grand jury had its say, in deciding not to indict. What about any internal investigation of the initial incident?

**STEPHENS:** One of the officers actually was never the subject of an investigation. She was there, but did not shoot or participate in an inappropriate way. With the other officer, we completed the investigation and made the announcement of our decision the same day as the grand jury. Essentially what we found was that the officer, at the time that he fired, was in fear for his life. But in looking at it, at the way that he placed himself in front of the car, we felt that he was basically in conflict with our policy and with the training that we had provided about where you position

# Interview: St. Pete Chief Darrel Stephens

yourself, and that kind of thing. Once he got in front of that car, he actually stayed there for 32 seconds before he fired the gun and had been bumped by the car several times. So our expectation is to get out of the way. We had just gone through a training video for every member of the department over the several months prior that focused on these kind of encounters and where you position yourself and that kind of thing. We'd say over and over and over again that the bullet's not going to stop the ear. Don't put yourself in that position knowingly. And if you get into that position, get out of the way. He didn't. He was suspended 60 days and is now back on the street, assigned to another area. But that decision was not received well anywhere. Some people felt he should have been fired, and other people felt that he didn't do anything wrong. So hardly anybody agreed with what we did.

## Aggressive officers

**LEN:** A report issued just yesterday by an investigator for the U.S. Civil Rights Commission, Bobby Doctor, was harshly critical of the Police Department for what he called harboring a "clique within the...Department with a significant pattern of misconduct that could spark more disturbances." Do you see any evidence of such a clique?

**STEPHENS:** No. There's a belief by a number of people in the community, and I think the person from the Civil Rights Commission has the belief that there's a small group of people in the department that just run roughshod over the community. We actually monitor behavior very carefully. If an individual reaches three complaints within a year's time, it's brought to the attention of the chain of command, we focus on it and try to help people work through that kind of behavior. But there are certain officers that members of the community really believe are out of control. Part of that is that they're very aggressive officers. But they stay within policy; they stay within the legal requirements. They're just aggressive and working in some fairly tough areas. We've had problems with officers, and our disciplinary process is such that when we can sustain a complaint, and take disciplinary action up to and including termination, we do that. We have done that, and we'll continue to do that.

So I think our monitoring indicates that we do have some officers who have more complaints than others, but when you really look at the sustained ones and look at the circumstances of the complaints, you consider the reality of how you have to deal with these folks if you're a police executive, we're not ignoring those areas at all. Some people would just like to come up with a list and say let's just get rid of all of them. That's just not something you can do.

We're very, very sensitive to concerns expressed by members of the community about the behavior of police officers. We've got a good, competent internal affairs staff and we have a Civilian Review Committee that reviews all of the internal affairs investigations — they do it on television.

**LEN:** On local cable?

**STEPHENS:** Yes. There are 18 citizens broken down into three

committees. They look at all use-of-force situations, and for the most part their findings agree with the outcomes of the investigations. They'll have comments and recommendations that we take very seriously.

I think part of the frustration comes from an area where Bobby Doctor is probably right. We do have situations from time to time where you end up with a "not sustained" investigation. And our definition of not sustained doesn't mean you're exonerated or you've been cleared; it just means there's no independent evidence that allows us to corroborate what happened one way or the other. In those cases people get very frustrated: "I know what happened to me, and yet the Police Department's not doing anything about it."

On the other hand, I'm sure there are encounters between police officers and members of the African-American community where the community member believes that the only reason they had that encounter was because they're black. You know, 99 percent of the encounters are just written off as a police officer harassing me for no other reason other than I'm black, when in fact, in many of those cases there was a legitimate reason for the stop, but it doesn't get communicated very effectively, or it never even comes up. People just want to get it over with as quickly as possible, and they go on with an erroneous belief about what it was all about, but that has far-reaching effects that stay there for many years.

**LEN:** The Civil Rights Commission report called for more specialized training for officers. Do you find that there is, in fact, such a need?

**STEPHENS:** There is a continuing need for that kind of training, and we've not ignored that need, independent of the disturbances and of the recommendations by the Civil Rights Commission. Everybody's gone through a diversity training program, starting just prior to the time that I came here, a 24-hour session that took us about a year. We have a regular in-service training program that includes a variety of different things. This last session we had the Verbal Judo. We incorporated that into our training, and it's been ongoing. It takes us or any large department a while to get through the entire force in whatever program you do. So the sensitivity, diversity and communications issues are built into our training program as we're assessing our needs. Are there other things that we could and should do? Probably. We do a reassessment of our training needs annually, and we plug in the things that are mandated, and we plug in discretionary things, and we go through that program and then we reassess, and we do it again. We are doing one other thing. We're in the process of working with the Justice Department on a review of our department, and the training issue will be included in that. We invest a lot in training. We think it's important and it's helpful to us, and this review will take a real close look at what we've done, and whatever recommendations come out of that, we're prepared to go forward with them.

**LEN:** The report's criticisms apparently are not directed solely at the Police Department, with a few harsh words reserved for local business, community and religious leaders for failing to step up

and help ameliorate problems. What is being done in this regard, and more to the point, what more do you think these community leaders could be doing?

**STEPHENS:** Well, the Mayor created a Community Action Committee that had representatives from all over the city, a very diverse group. It looked at a lot of different issues and outlined four or five key areas to be addressed, such as the economy, policing, etc. We're a community that has had some difficulties with racial issues, and a community where they've been relatively visible. We've dealt with some of them, but like lots of communities up here, it's hard for people to maintain a focus on that. I would submit to you that St. Petersburg is no worse than any other urban area, and in some cases maybe a little better off because at least the issues are on the table, regardless of how they got there. We're trying to work through some very tough issues from a broad-based perspective. But I think some of the same issues and sources of racial tension in St. Petersburg can be found in a good number of urban areas. Some maybe deal with them more effectively than others, and some may not have had the kind of experience that requires them to really focus on them.

## Police can't run from social ills

**LEN:** And some of those issues, no doubt, do not fall within the traditional purview of a Police Department....

**STEPHENS:** A good part of the frustration that people have is purely the inability to get a job. And part of the ability to get a job is lack of success in the educational system. And part of the lack of success in the educational system is inconsistent help and guidance from parents. There are so many single-parent families, and people working to make ends meet. All the complex social ills that are out there contributed to the disturbance here in St. Petersburg. Wherever you have urban poor people, or even in rural poor situations, they may not manifest themselves in riots, but all of that frustration, and all of those issues are there, and the police can't run from them. People call the police, and we respond. We're one of the few institutions that simply has to face these things on a day-to-day basis and in very trying kinds of circumstances. That's why the police find themselves in the situations that we find ourselves in.

**LEN:** All things considered, would you say that the state of affairs in terms of race relations in St. Petersburg is better off today than when you arrived, even if they're not ideal?

**STEPHENS:** Yes. Certainly our relationship with the community, and the issues that we've dealt with inside, are better off that when we arrived. It's very difficult to convince people of that, given what's happened, but at the same time we've made lots and lots of inroads in areas of the community where we had very little contact prior to the way we've changed our policing philosophy. So I think we're better off, but we've had this problem that has brought into sharp focus how far we have yet to go to develop confidence and trust in the community in the way we police it, and to bring both the white and black communities together on a broader basis to deal with some of those persistence, festering long-term problems that put people in conflict with the police.

**LEN:** Is there a natural linkage between problem-oriented policing strategies — which you have long espoused — and responding to racial problems within a community? Earlier, you mentioned Weed-and-Seed programming, but have you identified other ways in which your time-tested problem-oriented policing focus can be of service in this respect?

**STEPHENS:** Well, I think it has been all along. Our philosophy, basically, has two key issues: community partnerships and problem-solving. And as we work with members of the community on the problems that are of concern to them, we're building up a different relationship. You build up an understanding by members of the community about the police and by the police about the community in working through these problems, and that's the foundation that actually puts you in a position where, whenever there are conflicts and whenever there are issues, it's not generally a stranger you're dealing with; it's somebody that you know. And you know, based on your past experience, that while there may be disagreements about things, both the people in the community and the police officers who work there do care, and do want to do the right thing, whether it turns out to be right or not. So that's the fundamental foundation, and we've been at this for four or five years. The issues and the relationships between the police and particularly the African-American community have developed over a period of literally 100 years or more. I think there's clear evidence that our relationships have improved and that people feel better about their neighborhoods and better about the Police Department, but even with your best



St. Petersburg police officers dodge a piece of lumber thrown during a riot last Oct. 24 that began after police shot and killed a black motorist during a traffic stop.

(Wide World Photo)

# **"I believe the police can contribute to changes in crime conditions and crime on a neighborhood basis. But I don't think it's wise, nor do I think you can draw a direct correlation between what the police do citywide and crime numbers going up or down."**

efforts there's still a large segment of the community that you don't have those experiences with, that you don't have those contacts with, and you don't have the opportunity to work through issues with, either because they hadn't experienced any problems that brought them in contact with the police, or they just haven't chosen to become involved with their block associations or their crime watch, or any of the other groups that are out there.

**LEN:** Tying that in to crime issues, are you satisfied with the direction in which crime trends seem to be going in St. Petersburg these days?

**STEPHENS:** For the most part, it's been downward since '91 with the exception of two years. One year we went up about 3 percent, and then down 5 percent the next, and this year we're up 5 percent. Better than half of that increase is related to auto theft. We just got killed with auto theft in the first six months of the year.

**LEN:** Have you assessed and identified the source of the problem in that respect?

**STEPHENS:** In fact we did that early on. It took a while to get things in place. But essentially what was happening is we had a group of very active juvenile auto thieves that was responsible for the biggest part of the problem. Two different pairs of kids were responsible for 100, 150 out of that total. Our analysis showed that most of the cars are recovered within a very small area of the community, although they're stolen all over the place. We're continuing to work on that because it's not at the level that we'd like to see it. The numbers are not big to a lot of people — it went from 1,552 auto thefts in 1995 to 2,207 last year. Still, that's a 40-percent increase, and prior to that the numbers have been generally downward on auto theft.

**LEN:** What about violent crime, which is probably the more frightening aspect to most people?

**STEPHENS:** Violent crime —homicides, robberies and aggravated assaults — peaked in 1992, and has declined in three or four of the years since. It went up a little bit one year.

**LEN:** Along with auto-theft, what are the notable crime problems that you feel most urgently need attention?

**STEPHENS:** Our key issue is drug abuse, and the continuing problem with street-level drug sales. The numbers of folks who are involved in that activity drive a lot of the crime problems that we have in our community, and, I think, in America. So that's one of the priorities we've had for a number of years, and it's going to continue to be, based on feedback we get from the community. Actually, the perception of drugs as the greater problem, is higher in the African-American community. The African-American community has the experience of the street-level drug dealer and the violence that's associated with it. For us, our continuing focus is trying to do what we can to have an impact on street-level drug dealing. That, I think, is the most significant problem we have and one that contributes to a whole series of other negative things that happen in the community.

## **Healthy skepticism**

**LEN:** In New York City and a number of other jurisdictions, an aggressive law enforcement focus on quality-of-life violations appears to be helping to drive down a wide variety of more serious crime phenomena, including illegal guns, drug dealing and so forth....

**STEPHENS:** At least that's what folks believe.

**LEN:** You're not among the believers?

**STEPHENS:** I'm reserving judgment. I certainly understand the relationship between disorder, vagrants, people hanging around on corners, some of the visible signs that things are out of control. I understand the value of a police department working with the community to address those issues. I'm not as convinced on a broad basis that dealing with those issues is going to produce long-term significant change in the amount of crime that occurs or is reported.

**LEN:** Would you agree or disagree with officials like New York police commissioners Bill Bratton and Howard Safir that these significant crime decreases are attributable to tougher, smarter policing as opposed to demographic variables?

**STEPHENS:** I think it's a combination of both. Certainly I believe that the police can contribute to changes in crime conditions and changes in crime on a neighborhood or area-by-area basis. But I don't think that it's wise, nor do I think that you can draw a direct correlation between what the police do on a broad citywide basis and the crime numbers going up or down. If you can build from the bottom, if you can say to me that in this neighborhood I'm doing this and that, and in this neighborhood fewer crimes are reported, and that translates into this kind of a decrease on a citywide basis, then I'm going to listen to you much more closely, and probably come a lot closer to agreeing with the amount of influence that the police have. But when you just talk on a citywide basis, I'm less comfortable with that. I think there's much stronger indications from the subway work that went on in New York a number of years ago, that strategy and tactics helped change the environment to make it less conducive to crime. I'm not as convinced of that throughout the broad basis of New York City. I don't actually understand fully what's actually happened on the streets. I know about the concept and strategy, but how that translates into specific actions to deal with specific problems on the streets is a little fuzzier for me — and most of what I see written doesn't deal with that. I'm happy for New York City and the declines in crime; I wish I could say that ours had declined that much, but I think it's much more complex than police and squeegee-men.

**LEN:** There's also the oft-stated notion that it's dangerous for police to claim too much credit for crime decreases because the reverse of that is that, when and if crime creeps back up, police can no longer blame demographic factors....

**STEPHENS:** There were a lot of years where police took credit for changes in crime statistics, but I think as we got smarter about that and understood crime better, the tendency was to quit doing that. If you had a reduction in crime that you could focus on a specific program, you could talk about it in that context, but in a broad sense that what police do directly correlates to crime going up or down — that's okay for some people, but I'm just not going to do it.

## **In touch with innovation**

**LEN:** As the former executive director of PERF, and still a member, it would seem fair to assume that you stay in fairly close

**"We've been able to go visit police departments around the country, sending different officers to different cities to look at what they're doing. We're regularly learning from other people and taking advantage of it."**

touch with most of what's going on in the United States in the way of police innovation....

**STEPHENS:** I do.

**LEN:** Based on what you've seen, are there initiatives out there that you'd like to import to St. Petersburg?

**STEPHENS:** Actually, we've been doing that irregularly along the way. One of the things we've been able to do over the past few years is to go visit police departments around the country, sending different officers to different cities — maybe seven or eight trips a year — to look at what they're doing. So we're regularly learning from other people and taking advantage of it. One of the more recent ones we took a look at is the assisted patrol efforts in Fort Worth, Texas — a massive effort that they believe has had a real positive impact on their community. We see some value in that, so we're learning from them. We've initiated the same kind of thing and we're just now beginning some training of citizens in a couple of neighborhoods, and we hope to expand that as much as we can to get citizens motivated to do it. I guess I see value in that from the perspective of just getting people out in their neighborhoods more. Also, from the process of going through the training to do that, you get a much better understanding about what's going on in their own neighborhood, plus some of the crime, fear and disorder issues.

One thing we imported several years ago was the "Herman Wrice" marches [LEN, Nov. 30, 1996], which focus on confrontations with drug dealers in the neighborhoods. It's an initiative that was brought back by three of our patrol sergeants who thought it might have merit, as a way of getting partnerships. I was sort of skeptical of it, but I said, "OK, we'll give it a shot if

you guys want to do it." It's actually had some very nice impact in several of our neighborhoods where pretty persistent drug dealing had been going on, and where we had never had much of an impact before. They're pretty quiet neighborhoods, and it's not there now.

Another thing that we picked up from other people is CPTED — Crime Prevention Through Environmental Design. We've trained a number of people in our department, we've been conducting joint training with people in the community, and we're using those concepts on things ranging from redesigning old schools or schools that are under construction to minimize problems there, to redesigning some areas where we had persistent drug dealing. By doing some strategic street blockages, we've been able to change traffic patterns and increase the fear of buyers and break up those markets.

There are a lot of things like that. We regularly look to other people and combine their experience with ours, and we've benefited a great deal from that.

**LEN:** One would assume that your officers are given a fair amount of freedom to innovate?

**STEPHENS:** Quite a bit, yes. We focus on holding people accountable for their geographic areas. We regularly get together to talk about what's going on in those areas, and they have quite a bit of flexibility, based on normal restrictions of resources, and have done some really interesting things.

One idea that we are in the process of implementing deals with a couple of corridors where we've had difficulty with prostitutes for quite some time. Several years ago we started putting the Johns' names and stuff on our cable television show as a deterrent, and it's actually had some really interesting impacts, but as a part of this, the officers visited some place out in the San Francisco area and learned about a project out there that's designed to work with prostitutes to deal with the drug-abuse problems and the other things that put them on the streets. We're working with a local drug-abuse program here to develop this. We've got the money to get the program started, and we've just recently gotten underway with that. Hopefully we'll have some long-term impact.

This project came from the ideas of people on the street. There's a lot of things going on around the community, and around the country, that we think are very useful. We try to apply them to our situation, and have for the most part.

## **Staying the course**

**LEN:** Is problem-oriented policing at times difficult to defend before the community, who may wish a return to more traditional, aggressive approaches?

**STEPHENS:** As a matter of fact, following these disturbances, we kind of engaged in a debate on the value of our policing philosophy of partnership and problem-solving — people saying, "Aha! It doesn't work!" I think that's sort of natural. It came from both inside and outside, from people who believe that any time taken away from aggressive arresting is probably wasted.

Yet I guess I come out of all of this with maybe even a stronger belief that that philosophy of policing is what we've got to do — not only to effectively police the community, but to build those kind of relationships that lead to different outcomes when you have conflicts between the police and members of the community. We need to do more and we need to be persistent and keep it going longer.

**Coming up in LEN:**  
The nuts & bolts of police integrity, and much more, in a special interview with Prof. Edwin Delattre.

Barker, Heckeroth:

## Deterring sex-harassment liability: it

By A. Michael Barker  
and Sally E. Heckeroth

Recently, police departments across the nation have taken a heating in civil rights lawsuits filed against them — not by members of the public alleging the use of excessive force, unreasonable searches and seizures or reckless high-speed chases, but by their own employees alleging sexual harassment or discrimination.

In St. Louis, a Federal jury last April awarded \$176,000 to a former police dispatcher on her claims of sexual harassment and retaliation against members of the St. Louis County Police Department. In the case of *Kopfensteiner v. St. Louis County*, the jury found a police sergeant liable for sexual harassment and the county and three other officers, including the police chief, liable for retaliation in violation of Title VII of the 1964 Civil Rights Act and the Missouri Human Rights Act. Although the plaintiff's claim for back pay and benefits only amounted to \$11,000, the jury awarded her \$165,000 in compensatory damages.

On the other hand, in the Wisconsin case of *Rouse v. City of Milwaukee*, a Federal court granted summary judgment to the City of Milwaukee and a police captain and dismissed two female police officers' claims of sexual harassment under Title VII, despite the fact that the city conceded, for purposes of the motion, that a hostile environment existed.

How does one account for these divergent outcomes? To a large degree, a well written sexual harassment policy, if properly and consistently implemented, can make all the difference. Accord-

ing to the courts, the Milwaukee Police Department, pursuant to its policy, responded promptly to the female officers' complaints and acted in a manner reasonably calculated to end the harassment, while the St. Louis County Police Department did not. Thus, as these cases illustrate, the best defense to a sexual harassment or sex-discrimination lawsuit is actually mounted long before litigation is ever filed.

In the best of circumstances, an employer's effective sexual-harassment policy can actually prevent a lawsuit. Failing that, it can present a powerful defense and deter liability. A comprehensive sexual-harassment policy requires, however, both defense counsel and the police department client to collaboratively plan and act far in advance of any possible problem or complaint by drafting a workable policy and, once instituted, following and enforcing that policy on a consistent basis. In doing so, police departments must examine themselves with a fresh view to eliminate what one Federal court, in *Andrews v. City of Philadelphia*, referred to as "the ambiance of a 19th century military barracks."

Courts have identified two types of unlawful sexual harassment: *quid pro quo* harassment, where a tangible job benefit, such as a promotion or a raise, is conditioned on submission to unwelcome sexual conduct or requests, and *hostile-environment* harassment, where the employee is forced to work in an environment that has become oppressive or offensive because of the severe or pervasive, unwelcome gender-based behavior of co-workers, supervisors or customers. The extent to which an employer may be held liable for sexual harassment depends largely upon who commits the alleged harassment and the type of harassment. An effective sexual-harassment policy can provide a defense to both *quid pro quo* and *hostile-environment* harassment, protecting against claims brought under Title VII or under Title VII-modified state anti-discrimination statutes.

The courts, guided by the U.S. Supreme Court's holding in *Meritor Savings Bank v. Vinson* (1986), along with other lower court rulings, have routinely held employers strictly liable for *quid pro quo* harassment if the harasser had the actual

authority to alter the victim's work conditions, even in instances where the employer had no knowledge of the harassing behavior. In some circumstances, employers have also been held liable for their employees' wrongful acts outside the scope of their employment.

Although the Supreme Court in *Meritor* declined to issue a definitive rule on employer liability under Title VII, it did reject the position that employers are strictly liable for sexually hostile work environments and also indicated that an employer's sexual-harassment policy could help shield an employer from liability if it encourages victims of harassment to come forward and is designed to remedy the harassing behavior. It has now fallen to the lower courts to define the parameters of employer liability under Title VII for a sexually hostile work environment.

Courts have generally imposed Title VII liability for hostile-environment sexual harassment if the employer knew or should have known about the harassment and failed to take prompt and reasonable remedial action. Thus, a sexual-harassment policy that provides a readily accessible grievance procedure to the victim and that quickly stops the harassment can insulate an employer from Title VII liability for hostile-environment claims. Because such a policy eliminates any actual or apparent authority a harasser might otherwise possess, it may also provide a defense against claims of *quid pro quo* harassment.

### Policy Plus Proactive Program

A written policy against sexual harassment is only one component in a well-planned defense. To help insulate themselves from liability, police departments should adopt a comprehensive program to discourage sexual harassment in the workplace. Elements of such a program include:

¶ A commitment from the top which is supported by consistent practices and documented training;

¶ A clear, detailed sexual harassment policy which includes a definition of sexual harassment and both formal and informal complaint/grievance procedures;

¶ Mandatory training for all supervisory of-

ficers and department members on recognizing and remedying sexual harassment, plus training on sexual-harassment policy and procedures for all rank and file;

¶ A mechanism to monitor the effectiveness of the complaint procedures and policies;

¶ Prompt remedial action to investigate and resolve complaints of sexual harassment.

Education and training are essential to a successful litigation defense. Training on what behavior may constitute sexual harassment, and how police department members should deal with that behavior, should be mandatory for all supervisory-level police officers. Such training should sensitize police officers to recognize conduct that may be perceived as sexually harassing, and should include clear instructions on how to handle complaints made to them, including situations in which the complainant is not the direct target of the harassment. In addition, supervisory personnel need to recognize that problematic conduct of which they are aware — even in the absence of a complaint — must be dealt with immediately.

The exact course to be followed may vary with each police department and should be the subject of careful thought and planning. In many instances, a simple, non-judgmental reminder that a particular behavior is not appropriate for a police officer while on duty may suffice. In other cases, a more formal and/or severe reprimand may be indicated. Most important is that officers should be trained in handling the many diverse situations and behaviors that may be construed as sexually harassing.

All personnel should receive training that explains the department's sexual-harassment policy and how it works, and also provide a clear understanding of what the law considers to be sexual harassment. Thus, legal counsel should play an active role in developing, if not actually presenting, any training program.

Police department personnel also need to be aware of certain stereotypical fallacies about sexual harassment. Sexual harassment, for example, is not gender-specific; men as well as women can be its victims. It also does not require that the victim suffer physical or psychological injury or economic loss.

Further, while Title VII protects against conduct that is unwelcome, a victim's voluntary submission to sexually harassing behavior has no bearing on a determination of welcomeness. It has been determined that such submission is often used by victims as a method of dealing with unwelcome behavior, thus training also needs to explore the coping mechanisms commonly adopted by targets of sexually harassing conduct.

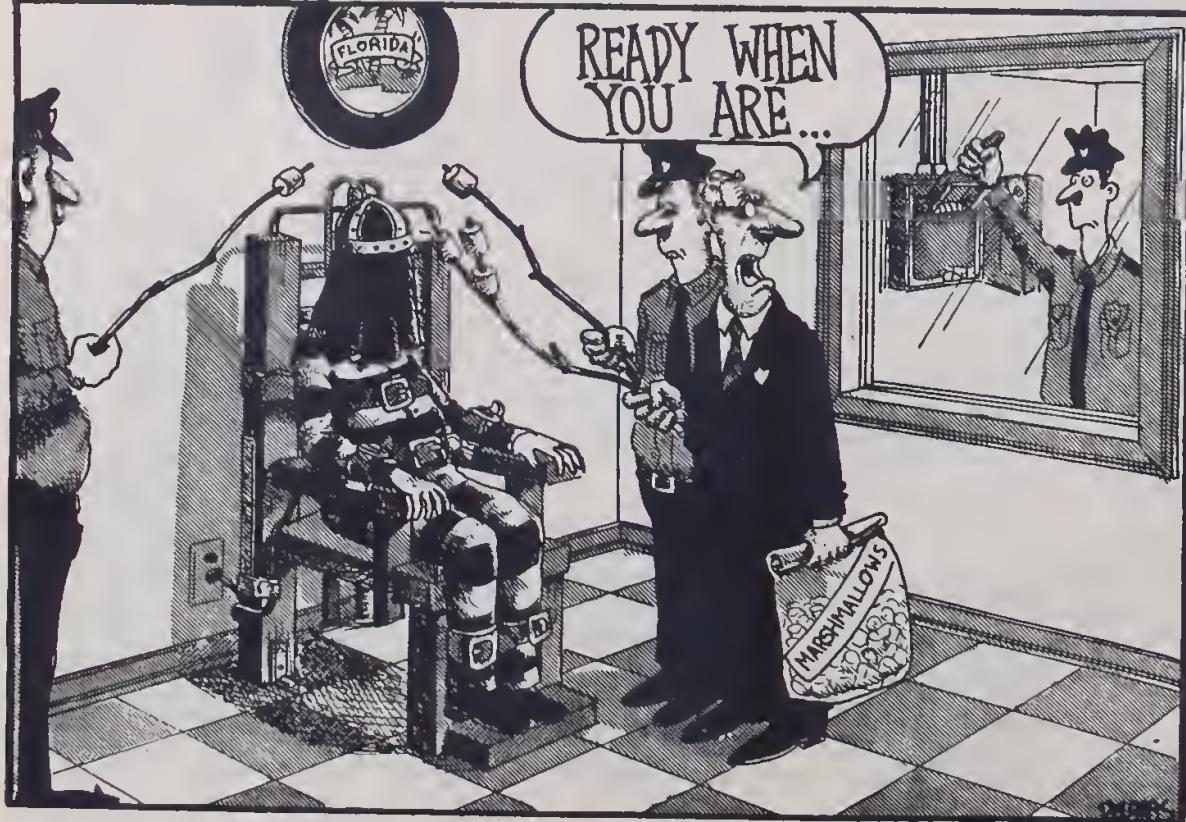
Finally, and most important for police departments that, until recently, have been all-male, paramilitary environments, training needs to emphasize that conduct that constitutes sexual harassment *need not be sexual in nature*. The underlying acts need only be gender-based. Thus, for example, the theft or destruction of only female police officers' files and the refusal to transport female road construction workers for bathroom breaks have been held to constitute sexual harassment.

While Title VII does not protect against nominally severe or pervasive conduct that a reasonable person would not consider as an abusive or

### Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.



# takes proactive policy & commitment

hostile work environment, it is meant to eradicate sexual stereotypes. It is important, then, that police departments, with the aid of legal counsel, not only instruct personnel on what constitutes sexual harassment, but also re-evaluate the department's physical facilities, such as locker rooms and lavatories, to ensure parity of accommodations for male and female officers.

Education and training must be combined with a written policy that defines acts constituting both quid pro quo and hostile-environment sexual harassment in clear, understandable terms, and that states unequivocally that these acts will not be tolerated. The policy must be distributed to all current and newly hired employees, requiring a signed form acknowledging receipt and understanding of the policy from each police officer. If litigation is ever instituted, a signed receipt serves to rebut any claim that a sexual-harassment policy did not exist or that the officer was not made aware of it.

A truly effective harassment policy statement should present examples of sexually harassing conduct and explain that such examples are not exclusive. Examples of such behaviors, endorsed by the American Law Institute and the American Bar Association, include:

- Sexual propositions or advances;
- Touching, pinching or patting;
- Insulting or suggestive sounds;
- Comments about a person's body or body parts;
- Sexually oriented jokes which degrade men or women;
- Cartoons, pinups, calendars, pictures, etc., or naked men or women or of a sexual nature;
- Repeated flirtations or sexual comments;
- Turning work discussions into sexual topics;
- Repeated insults against men or women, and
- Comments or behavior which promises benefits for sexual favors.

Merely defining harassment is toothless without explicit language indicating that the police department condemns and will not condone harassment, stating that any violation of the policy may result in discipline up to and including termination.

The sexual-harassment policy must also explain the department's grievance procedure for reporting and investigating claims of sexual harassment. At a minimum, employees need to know to whom and where they may report complaints, and need to be assured that their claims will be handled in an expeditious and fair manner. The policy should certify that any person complaining of sexual harassment will not be retaliated against in any way, that such retaliation is also a violation of the department's policy, and that both the complainant and the alleged harasser will be notified of the outcome of the investigation. In addition, the policy should stipulate that all complaints will be kept as confidential as possible, although the complexity and breadth of a thorough investigation normally preclude any guarantee of absolute confidentiality.

The existence and availability of avenues of complaint and redress — a grievance procedure — are part of an employee's work environment, and the extent to which a police department makes them effective bolsters a defense against sexual harassment litigation. However, a harassment grievance procedure may not be considered available or effective if an employee fails to use it for legitimate reasons. Thus, according to the Meritor decision, the grievance procedure must not only facilitate employees reporting incidents, but encourage them to do so. In order to encourage employees to come forward, grievance procedures should permit complaints to be brought to any one of several specifically named supervisory personnel either in or out of the police department, deliberately avoid requiring the victim to first complain to his or her supervisor (who may be the alleged harasser) and avoid inadvertently discour-

aging victims from reporting incidents. The procedure should also include means for appealing lower-level decisions.

To ensure that investigations of sexual-harassment complaints are objective and comply with law, police departments may want to entrust such procedures to in-house or outside counsel. However, police departments should be aware that assigning such investigations to legal counsel may not cloak that investigation with the attorney-client privilege if litigation ensues. Police departments should also keep in mind that the timeliness and effectiveness of a police department's investigation will be subject to scrutiny by a court or jury. A department must be diligent in ensuring that investigations of sexual harassment complaints are conducted in a proper manner and that appropriate remedial action is taken when a complainant is substantiated.

If investigation of sexual harassment complaints will be handled in-house by police officers rather than legal counsel, law enforcement agencies need to make sure that those involved in the investigation avoid legal or conclusory terminology. It must be emphasized that this is not a criminal investigation and that phrases such as "probable cause" should not be used, as the investigators may find their layman's conclusions coming back to haunt them as a party admission in subsequent litigation.

Whoever handles the investigation must act promptly and thoroughly and document his or her procedures and methodology to build a reliable, factual record with as many specifics as possible. In most cases, the investigation will begin with an interview of the complainant, who should be encouraged to reduce his or her complaint to writing, which helps guard against fading memories and focus the investigation. A written record of the exact nature of the alleged harassing conduct also makes it more difficult for a complainant to enlarge the scope or nature of the harassment if litigation subsequently develops.

As much as possible, the sequence of events, the time and location of incidents, language used in conversations and physical actions should be described and transcribed as exactly as possible. Investigators should encourage complainants to be forthright in describing lewd, embarrassing or horrific language and incidents, and also ask the

complainant what he or she did in response without insinuating that the victim is to blame in any way.

Witnesses or physical evidence that might corroborate the complainant's account should also be identified, and witnesses, as well as the alleged harasser, need to be interviewed.

It is important to note that if the investigation uncovers harassment from other individuals or situations independent of the complainant, separate but integrated investigations and remedial action should be initiated. Even a victim's lack of cooperation may not relieve an employer of responsibility and possible liability.

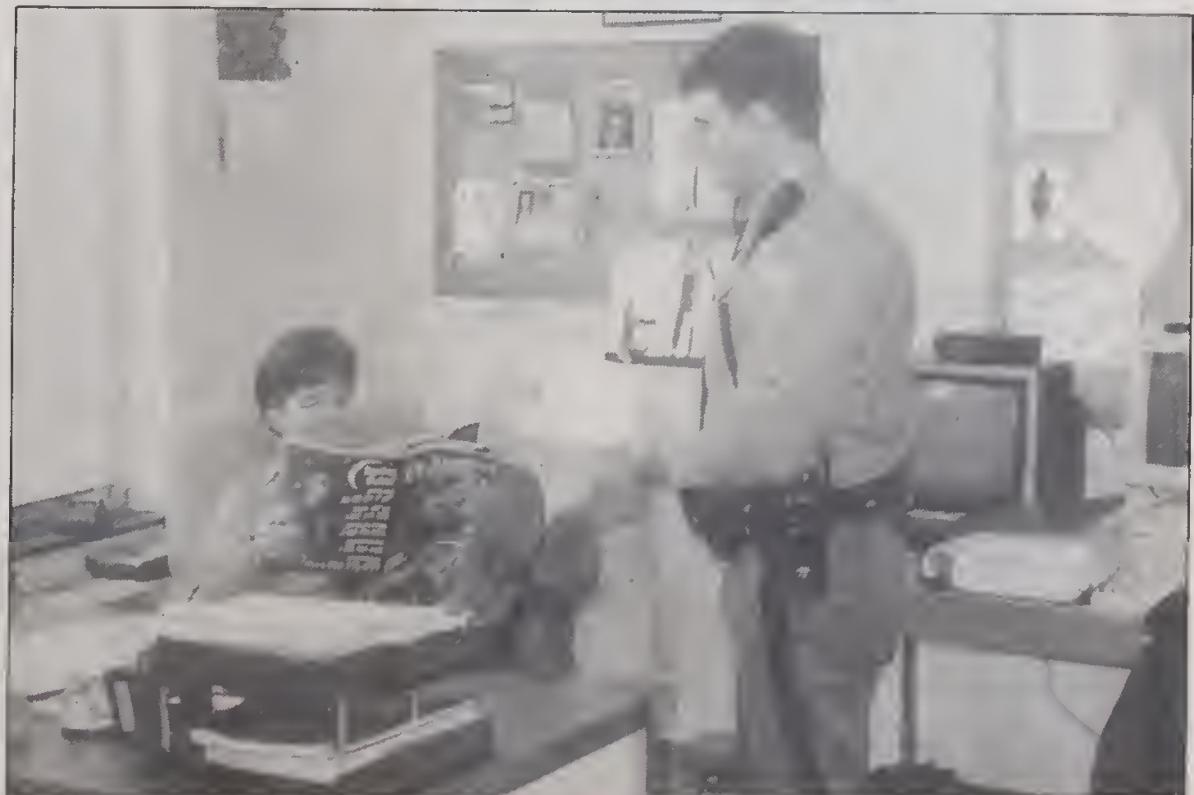
The rights of the accused also must be respected. Although investigations of sexual harassment do not require the same procedural and evi-

dentiary mechanisms as judicial proceedings, police departments must take care that sexual-harassment investigations do not take on the aura of a Star Chamber. Employees suspected of harassment retain their due process civil rights, and the accused harasser is entitled to a fair hearing before disciplinary action is taken, which requires giving the alleged harasser notice and an opportunity to respond to the charges, rebut any accusations and to present his or her version of events.

Police departments, with the aid of counsel, should also determine if the terms of any collective bargaining agreements governing the employment relationship between the department and the alleged harasser are implicated, and investigators should remind those accused that retaliation

Continued on Page 18

**For police in Vineland, N.J., potentially sexually harassing situations are a common occurrence — as part of an ongoing comprehensive training program. At left, Officer Danielle DiPasquale's look speaks volumes as she reacts to a pat on the butt — one form of harassment — from fellow Officer Charles Garrison, and the resultant chuckles from Officer Peter Darrigo. Below, Det. Lene Bowers scans a copy of *Playgirl*, which some may find offensive, as Officer Darrigo approaches her with paperwork. Police training in Vineland is meant to sensitize department personnel and discourage sexual harassment in the workplace.**



(A roundup of capsule information on emerging research and development, books and resource materials and other items of professional interest. Items are based on press releases supplied by manufacturers, vendors, publishers and other sources.)

**How Do You Manage?** Former New York State Police captain and police management training consultant Roger Fulton helps new police managers avoid many common mistakes in his book, "The Practical Police Manager." In a collection of 29 concise articles, Fulton offers a variety of tips, techniques and proven methods for being a successful police manager. Contact: Professional Training Resources, P.O. Box 439, Shaftsbury, VT 05262 or call (802) 447-7832.

**Going Mobile:** Teklogix International Inc. has been awarded a \$1.16-million contract to supply mobile data communications systems to the St. Petersburg, Fla., Police Department. The system, which includes a color notebook computer, docking station and connectivity to a specialized mobile radio network, will allow officers to perform dispatch and case-reporting functions, and officer-to-

officer communications. Contact: Dennis Castor, Marketing Manager, Teklogix Corp., (606) 647-3126.

**Ounces of Prevention:** Safe+Aid first-aid kits have been developed by the American Red Cross of the St. Paul Area and Pro-Tect Medical Products Inc. to reduce life-threatening risks to first-responders from blood-borne pathogens. The kits include a CPR mask and the Safe+Aid First Aid Mitts, made of 911 Barrier Film that produces a virtually pinhole-free, tear-resistant glove. Contact: Erin Petersen, American Red Cross of the St. Paul Area, (612) 291-6721.

**Pump It Up:** Multimedia Workout, a computerized fitness planning tool, features a muscle/exercise data base; a workout planner; a food data base; and a personal progress log. Co-produced by Human Kinetics and Lifestyle Software, the \$39.95 package allows users to create their own flexible exercise and diet plan. Contact: Sharon Kennedy, Human Kinetics, 1607 North Market Street, P.O. Box 5076, Champaign, IL 61825-5076. (217) 351-5076.

**Heartfelt Thanks:** A nationwide

awards program to recognize first-responders who have used an external defibrillator to save a life is being sponsored by the SurVivaLink Corporation, makers of the VivaLink® AED (automated external defibrillator). The VivaLink® AED, which is used by police departments and other public safety agencies around the country, features voice prompts to guide the user through the defibrillation process. The American Heart Association estimates that 20,000 or more deaths could be prevented each year if more AEDs were available to first-responders. Contact Leah Kondes, Shandwick USA, (612) 832-5000.

**Virtual Tribute:** The National Law Enforcement Officers Memorial Fund has launched a World Wide Web site — [www.lnleomf.com](http://www.lnleomf.com) — that offers browsers photographs and a history of the memorial, facts, statistics and the special features "Officer of the Month" and "Line of Duty," which pay tribute to active and slain officers. The Web site will also focus on criminal acts in a Crime of the Week section.

**Truth or Consequences:** Psychologically oriented interrogation techniques such as feigned sympathy or friendship, appeals to God or religion, the use of informants and trickery can generate false confessions, according to psychologist Saul M. Kassin, Ph.D., of Williams College. In an article in the March issue of American Psychologist magazine, Kassin warns that even when confessions have been withdrawn or recanted, they still carry enormous weight with juries. Contact: American Psychological Association, Doug Fizel, public affairs office, (202) 336-5700. E-mail: [public.affairs@apa.org](mailto:public.affairs@apa.org).

**You Can Look It Up:** Officers using Cerulean Technology Inc.'s PacketCluster Patrol law-enforcement software on a cruiser-based laptop computer will be able to look up information on national, Federal, state and motor-vehicle data bases in real-time, without tying up dispatchers, thanks to Cerulean's partnership with SNET Mobility, Inc., designer of the cellular digital packet data. Contact: Stephanie Smith, Cerulean Technology Inc., (508) 460-4000. E-mail: [ssmith@cerulean.com](mailto:ssmith@cerulean.com).

**Just Checking In:** Pacer Infotec Inc., a Billerica, Mass., technology firm specializing in systems engineering, has been awarded a \$925,000 contract by the New York City Department of Probation for an electronic reporting system. Called CheckIn, the system features multimedia kiosks with video touch-screens that allow probationers and parolees to electronically "check-in" with their officer on their reporting date in a process similar to an ATM transaction. Contact: Paul Serotkin, Pacer Infotec Inc., (508) 667-8800.

**Cyber-Guide:** The new third edition of Timothy Dees's "Online Services for Law Enforcement" offers concise, easy-to-understand explanations of modems, software, viruses, passwords and other information vital to the law enforcement professional using the Internet as a resource. This updated edition includes more than 500 Web site addresses; a 3.5" disk with four programs that supplement the written material with mailing lists, an HTML file viewer and a Web browser. Contact: Professional Training Resources, P.O. Box 439, Shaftsbury, VT 05262. (802) 447-7832.

**Field Research:** The Police Executive Research Forum has released a new report, "The Police Response to Gangs: Case Studies of Five Cities," which provides a comprehensive look at how gang-related issues have been handled by five major police departments during the period from 1991 to 1996. The case studies examine enforcement programs in Austin, Tex.; Chicago; Kansas City, Mo.; Metro-Dade County, Fla., and San Diego. Copies of the report (document number 813) are \$12.95 each, plus shipping and handling. Contact: PERF, (202) 466-7820.

**Location, Location, Location:** The Teletrac location information system is being installed by the city of Gardena, Calif., in all four dozen of its public safety vehicles. Teletrac enables police agencies to track the routes of vehicles through a signal transmission unit mounted inside the cruiser. The route appears on a computerized map, pinpointing the vehicle's location to within 150 feet. Last year, the system helped the Bensenville, Ill., police locate two stolen tractor-trailer trucks in less than three hours. Contact: Teletrac, (800) 721-2552, ext. 212. Gardena Police Department, Lieut. Ron Panter, (310) 217-9601.

"F.Y.I." and "Public Record" appear irregularly in Law Enforcement News. Send items to: Editor, LEN, 899 10th Ave., New York, NY 10019.

# Public Record

(A roundup of recent publications and other items of interest from Justice Department agencies.)

**"Preventing Gang and Drug-Related Witness Intimidation,"** a report in the National Institute of Justice series "Issues and Practices in Criminal Justice," is based on the successful practices of several jurisdictions. Recommendations include routinely demanding high bail to keep intimidators behind bars; enhancing basic victim/witness program services; and prosecuting intimidators vigorously. Moreover, all protection services need to provide emergency relocations for witnesses and their families; permanent relocation; and temporary or short-term relocation. Contact: National Criminal Justice Reference Service, P.O. Box 6000, Rockville, MD 20849-6000. (800) 851-3420.

**"Revictimization: Reducing the Heat on Hot Victims"** (NIJ, Research in Action) examines repeat victimization and its causes, drawing primarily on data collected in the United Kingdom. One study indicated that about 4 percent of the surveyed victims suffered approximately 44 percent of offenses. Some characteristics of repeat victimization include a higher likelihood of future crimes against an individual with a number of prior victimizations and higher numbers of repeat victimizations in high-crime areas. Contact: NCJRS.

**"Key Legislative Issues in Criminal Justice: Mandatory Sentencing"** (NIJ, Research in Action) looks at the consequences of earlier mandatory sentencing guidelines; three-strikes laws; and the viability of alternative sentences. Contact: NCJRS. (Call No. NCJ 161839.)

**"Work Release: Recidivism and Corrections Costs in Washington State"** (NIJ, Research in Brief) discusses the state's work release program in the context of two NIJ-sponsored evaluations. Findings include: nearly a quarter of all prisoners released through the programs made successful transitions into the community; less than 5 percent committed new crimes while on work release, and 99 percent of those were less serious property offenses; older offenders were more successful than younger ones, and white offenders were more successful than either blacks or Hispanics. Contact: NCJRS. (Call No. NCJ 163387.)

**"Female Offenders in the Juvenile Justice System"** (Office of Juvenile Justice and Delinquency Prevention) analyzes patterns in the arrest, judicial management and correctional placement of female offenders. The study reports that increase in juvenile arrests involving females nearly doubled the growth rate for male juvenile offenders between 1989 and 1993. Contact: OJJDP Juvenile Justice Clearinghouse, (800) 638-8736.

## Federal Law Enforcement

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# Criminal Justice Library

*Single, male, crime-prone:*

## The frontier lives on, in inner-city violence

### Violent Land: Single Men and Social Disorder from the Frontier to the Inner City.

By David T. Courtwright.

Cambridge, Mass.: Harvard University Press, 1996.  
357 pp., \$29.95.

By R. Gil Kerlikowske

These days, new "get tough" laws are passed as quickly as state and national legislative bodies can convene. News broadcasts have devoted far more time to covering violent crime over the past five years, even while crime continues to decrease. Twenty-second soundbites of angry individuals "demanding that something be done about crime" are heard regularly.

Police executives, elected officials and policy-makers who are interested in better understanding violence in America, and particularly in our cities, should read David Courtwright's latest book. For that matter, we would all be better served if those who influence policy or make laws would clearly understand the history of violence, what causes it and, most importantly, what can be done to prevent it.

Courtwright, a professor of history at the University of North Florida, examines violent crime and disorder from the Gold Rush days of the old West to the crack cocaine days of the 1980s and 1990s. He uses the disciplines of his-

tory, anthropology, biology and sociology to explain why the rates of homicide in the frontier West were up to 18 times higher than in Boston during those early days. The reason for reduced levels of violence and disorder, he asserts, was that places settled by families had far more social control than those areas, like much of the West, that were populated by single young men. Social science has clearly depicted that young men are more aggressive than women or older men. The proportion of young men in our population is recognized as an important cause of changes in the rate of violent crime.

Five generalizations are offered by Courtwright to explain the historical pattern of violence perpetrated by young men, most often those who are unmarried:

**Honor**, whether in the form of settling an insult on the frontier or one person "dissing" another in today's inner city, has often been a contributing factor to acts of violence.

**Racism** was a cause of violence from pre-Civil War days to today.

Courtwright notes: "That alcohol is associated with mayhem is as well documented as any finding in the social sciences."

The power of **religious conviction** to squelch disorderly behavior is demonstrated in dramatic fashion in the histories of early America's religious colonies.

The **family** is a controlling center and provides the basis for good behavior. Courtwright's book contains many statistical references, of which this one seems particularly telling: "As far back as 1890, 29 percent of all prisoners were married compared to 52 percent of the population. By 1974, only 21 percent of the male inmates were married compared to 64 percent of the population."

Lastly, **gangs**, or "armed men in groups," as the book calls them, are strongly associated with drinking and violence. What distinguishes American society from others is the addition of guns. What would have been a fight now becomes a homicide.

Some may wonder why it is important to have more knowledge about what violence was like in our early days as a nation. The transition from the frontier to today — and, arguably, a linkage between the two — is made painfully clear in the passage in which Courtwright notes:

"Local residents began calling North Kenwood, another Chicago war zone, 'the Wild West.' The founders of Jamaican drug gangs took their generic

Don't be condemned to repeat history — learn from it.

name, 'posses,' from western films."

One should not assume that this book represents some academic's thirst for another publication. It is a thoroughly interesting read. Although it contains charts and statistics, they are used to illuminate, rather than bore the reader. Bits and pieces from diaries and memoirs are sprinkled throughout to further illustrate the central themes.

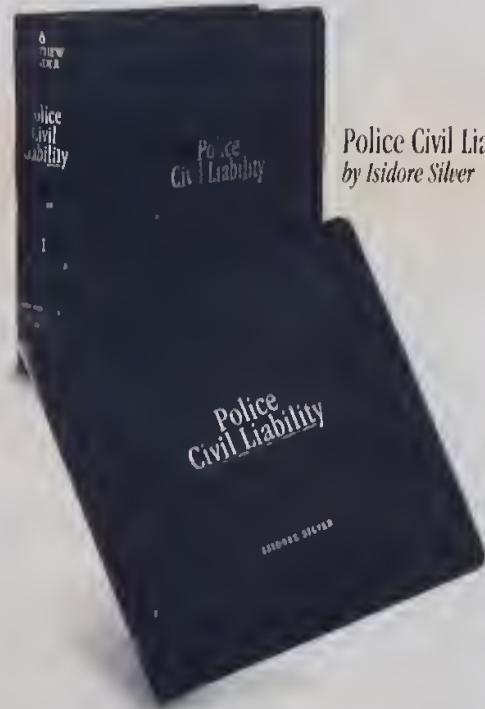
What does all this mean to a country that is seen by many nations to be the ultimate enigma, a land of freedom and opportunity awash in violence far

above other democracies? In my 25 years as a police officer, I have spoken with hundreds of crime victims who were thankful for the response of the police to their crime. In the final analysis for these victims, the best response to their plight would have been to prevent the crime in the first place. As Courtwright observes:

"Statutory details matter, and so does the effectiveness of law enforcement. Yet it is equally hard to escape the conclusion that the key to controlling young men's violence and disorder lies not in the legislative process or in simply adding police and prisons, but in society's basic familial arrangements, which means with all of us."

(R. Gil Kerlikowske is the Police Commissioner of Buffalo, N.Y., and the President of the Police Executive Research Forum.)

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by Isidore Silver

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# Preventing sex-harassment liability

Continued from Page 15

against the complainant also violates both Title VII and the department's sexual-harassment policy.

To dissuade the complainant, the accused harasser may allege defamation or libel. Investigators should remain objective and factual and make provisions to keep information as confidential as possible. Police departments must ensure that the investigation is

conducted fairly, as courts have begun to recognize employer liability to employees terminated as a result of negligently conducted harassment investigations.

#### Immediate Countermeasures

If, after reviewing all the evidence, investigators determine that sexual harassment has occurred, employers need to take prompt, effective remedial ac-

tion to stop the harassment from continuing or re-occurring. Such action restores the victim to a natural, expected, unthreatening work environment, eliminates the behavior complained of, and may require disciplining the harasser, up to and including termination. The discipline must be sufficient to end the harassment and to convey the message that the employer will not tolerate a hostile work environment.

Remedial measures should be proportionate to the type and severity of harassment, as the effectiveness and appropriateness of the remedial action — not its form *per se* — determine employer liability. Temporary solutions do not pass muster — offending conduct must be definitely ended for remedial actions to be successful. Similarly, corrective action that makes a vic-

tim of sexual harassment worse off, such as a transfer that reduces a victim's remuneration or adversely affects a term or condition of his or her employment, is automatically ineffective and may be deemed retaliatory, creating additional liability for a police department.

Whether an employer has acted properly enough to avoid liability depends upon when and how an employer first becomes aware of a complaint, the severity of the alleged conduct, and when and how the employer responds. For example, in one case where sexual harassment involved threats by the victim's superior, an employer was found liable for harassment that continued the following day after the complainant had informed management of the conduct.

The U.S. Seventh Circuit Court of Appeals has also found an employer liable for failing to anticipate reasonably foreseeable sexual harassment, wherein the plaintiff — the first woman to be employed in a previously all-male shop — would be subjected to a hostile work environment. Such a result mandates vigilance in previously all-male professions, such as law enforcement.

Furthermore, remedial action may need to be taken even before the investigation begins. It may be prudent to separate the victim from the alleged harasser, while being certain that no corrective step punishes or adversely affects the terms and conditions of the complainant's or the alleged harasser's employment.

Even in instances where the sexual-harassment investigation is inconclusive or reveals behavior that is not severe enough to constitute sexual harassment, but is nonetheless inappropriate, police departments still should respond by warning the perpetrators this conduct will not be condoned and may breach the department's policy, necessitating discipline up to and including termination.

Police departments have a duty to prevent sexual harassment under Title VII. This duty incorporates affirmatively raising the subject, expressing strong disapproval of harassment, developing appropriate sanctions for it, informing employees of their rights under the law, and sensitizing employees to the problem.

A comprehensive sexual-harassment educational program is effective, for education can serve a dual purpose. It is not only the first step toward prevention, it is also a vital element of any defense to sexual-harassment litigation.

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# Upcoming Events

## JUNE

**2-3. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. Washington, D.C. \$349.

**2-4. FitForce Coordinator Course.** Presented by FitForce. Glenco, Ill. \$495.

**2-4. Street Survival '97.** Presented by Calibre Press. Las Vegas, Nev. \$189.

**2-6. Homicide Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

**2-6. Undercover Drug Enforcement Techniques.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

**2-6. Verbal Judo - Train the Trainer.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

**5-6. Narcotic & Drug Investigations.** Presented by Hutchinson Law Enforcement Training. Stratford, Conn. \$175.

**5-6. Tracking Illegal Proceeds.** Presented by the Investigation Training Institute. Chicago. \$395.

**9-13. Airport Investigator's Course.** Presented by the Metro-Dade Police Department. Miami Springs, Fla. \$495.

**9-13. Crime Scene Processing.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$452.

**9-13. Narcotic Identification & Investigation.** Presented by the Institute of Police Technology & Management. Franklin, Tenn. \$495.

**9-13. Basic Training for Child Abuse Prosecutors & Investigators.** Presented by the American Prosecutors Research Institute. Tampa, Fla. \$325/\$375.

**11. Leaders, Battles & Cops.** Presented by Public Safety Training Inc. Toledo, Ohio.

**11. Countering Terrorism.** Presented by the American Society for Industrial Security. Washington, D.C., Chapter Arlington, Va. \$100.

**14. Successful Promotion.** Presented by Davis & Associates. Fresno, Calif. \$125.

**16-17. Executive/VIP Protection.** Presented by the Executive Protection Institute.

Chicago.

**16-18. FitForce Coordinator Course.** Presented by FitForce. Carrollton, Ga. \$495.

**16-20. Supervising a Selective Traffic Law Enforcement Program.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

**16-20. Interview Techniques for Internal Affairs Officers.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

**16-20. Advanced Narcotic Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

**16-20. Managing of the K-9 Unit.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

**16-27. Traffic Accident Reconstruction.** Presented by the Institute of Police Technology & Management. Phoenix. \$695.

**17-19. Street Survival '97.** Presented by Calibre Press. Dallas. \$189.

**18-19. Managing Security Systems.** Presented by the Executive Protection Institute. Chicago.

**19-20. Tracking Illegal Proceeds.** Presented by the Investigation Training Institute. Orlando, Fla. \$395.

**19-20. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. Irvine, Calif. \$349.

**23-24. Corporate Aircraft Security.** Presented by the Executive Protection Institute. Chicago.

**23-25. Drug-Trak IV Training.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$395.

**23-27. Crime Scene Investigations.** Presented by the Metro-Dade Police Department. Miami Springs, Fla. \$549.

**23-27. Police Internal Affairs.** Presented by the Institute of Police Technology & Management. St. Petersburg, Fla. \$495.

**23-27. Advanced Hostage Negotiations.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

**23-27. Wire, Oral & Electronic Intercepts.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

ogy & Management Jacksonville, Fla. \$495.

**25-26. Violence in the Workplace.** Presented by the Executive Protection Institute. Chicago.

**26-27. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates Seattle. \$349

## JULY

**10-11. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. Denver. \$349.

**16-18. First International Gang Specialist Conference.** Presented by the National Gang Crime Research Center. Chicago.

**17-18. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. Salt Lake City. \$349.

**20-24. Vehicular Homicide/DUI Conference.** Presented by the Northwestern University Traffic Institute. Chicago. \$400.

**24-25. Interview & Interrogation Techniques.** Presented by Wicklander-Zulawski & Associates. Kansas City. \$349.

### Reach out...

To ensure that your next event announcement reaches the right hands, send details to *Upcoming Events*, c/o LEN, 899 10th Ave., New York, NY 10019.

# Louisville cops shine on camera

### Continued from Page 1

that he is not involved in the project to make money. If he were, opined Combs, "he'd be set way back. He really has a sense of public and civic duty here he's playing out here, and he's put a ton of time into this project."

Wilson said that a two-year contract between his company and the Louisville police will provide benefits for both parties. The company will have almost unlimited access to the agency's inner workings. In exchange, it will train city police officers in video production and camera techniques, will allow them to use its equipment when possible and help the department set up its own video production unit for use at crime scenes and other situations.

Although the series currently focuses on the work of Louisville police officers, Wilson said there are plans to profile other law enforcement agencies in the area. In fact, he would like to see the idea go national, with AMC entering a partnership with local production companies in other U.S. cities interested in producing their own local versions of "Inside Look."

"I think the newspapers in our communities sell fear and blame, and so does the TV news," Wilson said. "Nobody really wants to come forward with solutions. I think the police need our help; I think we need theirs."

While Wilson, who is involved in virtually every aspect of "Inside Look," said he would like the project to get more sponsorship from local businesses and corporations, he was quick to add

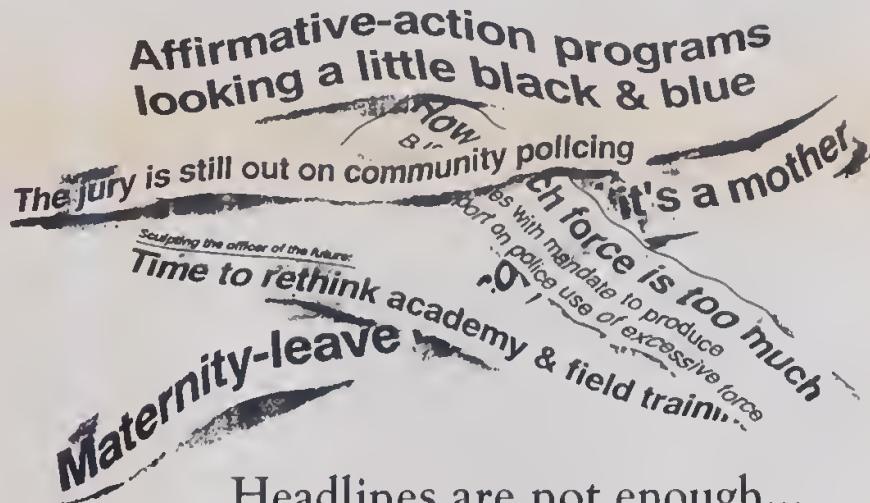
"We're really looking to show is that [police] are human beings, that they have feelings and emotions," Combs observed. "What we really don't want to do is glorify the criminals."

Combs said the idea for the show grew out of a wish by police that they could utilize more video in their work. When officials met Wilson at a video-production convention, he told them of his idea about producing a program that would portray police in a positive light.

"I think the newspapers in our communities sell fear and blame, and so does the TV news," Wilson said. "Nobody really wants to come forward with solutions. I think the police need our help; I think we need theirs."

"They can gain a lot of things from it — like reducing crime and educating the community about police," he noted.

## Law Enforcement News



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(41597)

For further information:  
Addresses & phone/fax numbers for organizations listed in calendar of events.

**American Prosecutors Research Institute,** 99 Canal Center Plaza, Suite 510, Alexandria, VA 22314. (703) 739-0321. Fax: (703) 836-3195.

**American Society for Industrial Security,** Washington, D.C., Chapter, 210 E. Fairfax St., Suite 214, Falls Church, VA 22046-2906 (703) 237-2513. Fax: (703) 533-0358. E-mail: mnudell@juno.com.

**Calibre Press,** 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037. Fax: (708) 498-6869. E-mail: Seminar@CalibrePress.com.

**Davis & Associates,** P.O. Box 6725, Laguna Niguel, CA 92607. (714) 495-8334.

**Executive Protection Institute,** Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (540) 955-1128.

**FitForce,** 1607 N. Market St., P.O. Box 5076, Champaign, IL 61825-5076 (217) 351-5076. Fax: (217) 351-2674.

**Hutchinson Law Enforcement Training, LLC,** P.O. Box 822, Granby, CT 06035. (860) 653-0788. E-mail: dhutch@snet.net. Internet: <http://www.patriotweb.com/hlet>.

**Institute of Police Technology & Management,** University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

**Investigation Training Institute,** P.O. Box 669, Shelburne, VT 05482. (802) 985-9123.

**Metro-Dade Police Department,** Training Bureau, 9601 NW 58th St., Building 100, Miami, FL 33178-1619. (305) 715-5022.

**National Gang Crime Research Center,** 9501 S. King Dr., HWH 329, Chicago, IL 60628. (773) 995-2494 Fax: (773) 995-3819.

**Northwestern University Traffic Institute,** 555 Clark St., P.O. Box 1409, Evanston, IL 60204. (800) 323-4011.

**Public Safety Training Inc.**, P.O. Box 106, Oak Harbor, OH 43449. (419) 732-2520.

**Southwestern Law Enforcement Institute,** P.O. Box 830707, Richardson, TX 75083-0707. (214) 883-2376. Fax: (214) 883-2458.

**Wicklander-Zulawski & Associates Inc.**, 4932 Main St., Downers Grove, IL 60515-3611. (800) 222-7789. Fax: (630) 852-7081. E-mail: Register@W-Z.com.

# Law Enforcement News

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April 15, 1997

## New & improved! And right at your fingertips! (Well, eventually.)



The FBI's NCIC-2000 system is plagued by delays & cost overruns, but it's said to be worth the wait & the cost. **Page 1.**

## Got a problem?

When it comes to problem-oriented policing, St. Petersburg, Fla., Police Chief Darrel Stephens is your man. **Interview, Page 10.**



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### What They Are Saying:

**"It was like the difference between night and day. The day after we constructed the gates, the dealers were gone — and they haven't returned."**

— Mt. Rainier, Md., Police Chief John Thompson, after his department was able to drive out brazen drug dealers by adopting the principles of crime prevention through environmental design. (Story, Page 5.)